

19-12, 20-12, 21-12 - 1987-1988  
GAL. S. P. - Generally located north of  
Kelling Street in an area west of Armour  
Drive.

ACTION

DATE

COMMITTEE

*Approved report to  
M.A.P.C.*

*9-17-87*

M.A.P.C.

*10-13-87*

*B.C.C./B.C.C. C. Approved so  
Admonished*

B.C.C./B.C.C.



WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

October 13, 1987

TO: Monty Robson, Superintendent of Central Inspection  
FROM: Barbara Harris, Senior Planner, Current Plans *B. Harris*  
SUBJECT: Approval of DP-12, Amendment #8 - Kellogg Mall Commercial Community Unit Plan. Located on the north side of Kellogg in an area west of Armour Drive.

On October 13, 1987, the Wichita City Council considered the above-captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Attached for your information and files are two approved C.U.P. copies. If you have any questions concerning this matter, please call me at 268-4421.

Barbara R. Harris  
Senior Planner

BRH:blw  
Attachments

cc: Anthony A. Petrarca, c/o Cedarwood Construction Co., Inc., 1765 Merriman Rd.,  
Akron, Ohio 44313  
Bank IV Wichita, National Assoc., Trustee (Yingling Trust), c/o T. H. Schupp  
Bank IV Wichita, P.O. Box 4, Wichita, Kansas 67201-0004  
Standard Service Station c/o M & N Investment Co., c/o Michael c. Weigand,  
150 North Market, Wichita, Kansas 67202  
A. Calisto Caminati, Jr., Development Mgr., The Cedarwood Companies,  
1765 Merriman Road, Akron, Ohio 44313  
Ron Spangenberg and George Sherman c/o Spangenberg Phillips Sherman  
Harrison, Inc., 151 North Main Street, Wichita, Kansas 67202

Copy For MAFC

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Anthony A. Petrarca and

Lenora J. Petrarca

being the owners of the following described real estate in Sedgwick County, Kansas, to wit:

The south 10 feet of Lot 2, Rockwood South First Addition to Wichita, Kansas.

do hereby dedicate the above described real estate to the public for street purposes.

Executed this 13 day of October 1987.

Anthony A. Petrarca  
Anthony A. Petrarca

Lenora J. Petrarca  
Lenora J. Petrarca

State of Ohio) ss  
Summit County)

BE IT REMEMBERED, that on this 13 day of October 1987.

came Anthony A. Petrarca and Lenora J. Petrarca, his wife

to me personally known to be the same person<sup>s</sup> who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,

this \_\_\_\_\_

City Clerk

Christine Renee Langley  
Notary Public

CHRISTINE RENEE LANGLEY, Notary Public  
My Commission Expires to  
My Commission Expires May 29, 1989

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
October 13, 1987

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: DP-12, AMENDMENT #8 - KELLOGG MALL COMMERCIAL  
COMMUNITY UNIT PLAN, LOCATED ON THE NORTH SIDE  
OF KELLOGG IN AN AREA WEST OF ARMOUR DRIVE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve subject to conditions (6-0 - 1 abstention)

Staff Recommendation: Approve subject to conditions.

CPO Recommendation: Council "2B" recommends approval (7-0).

Background: On September 17, the MAPC held a public hearing to consider an amendment to a Commercial Community Unit Plan. The applicants are requesting approval of the C.U.P. amendment for property platted as Lots 1 and 2, Rockwood South First Addition (in Parcel 9 of the C.U.P.). The site is located north of Kellogg in an area west of Armour Drive and presently is developed with a Howard Johnson Restaurant and Motel (Lot 2 referred to as Parcel 9B) and Amoco Service Station (Lot 1 referred to as Parcel 9A). The contract purchaser for Parcel 9B is proposing to remove the existing buildings and redevelop the site for a retail shopping center including a Children's Palace Toy Store, which is a national chain. The service station on Parcel 9A will remain as it presently exists. All the other parcels in this C.U.P. will remain the same.

The amendment proposes to change the proposed uses on Parcel 9B to include: "Service station, retail sales, general office, restaurants, financial institutions." Also new building setbacks to Kellogg Drive are placed on the C.U.P. -- 35 feet for Parcel 9A and 60 feet for Parcel 9B. The total gross floor area for Parcel 9 is proposed to be decreased from 124,440 square feet to 65,000 square feet.

The Planning Commission unanimously recommended approval subject to conditions including dedication, by separate instrument, of 10 feet of additional street right-of-way for Kellogg Drive adjacent to Parcel 9B.

Recommendations/Actions:

1. Concur with the findings of the Metropolitan Area Planning Commission and approve the C.U.P. subject to the recommended conditions; accept the dedication and instruct the City Clerk to record the dedication document with the Register of Deeds, the recording cost of which shall be billed to the Planning Department.

2. Take appropriate action stating reasons.

PL/1445/2

STAFF REPORT

CASE NUMBER: DP-12, Amendment #8

OWNER/APPLICANT/AGENT: Bank IV and M & N Investment Co. (applicants)  
Cedarwood Construction Co. (contract purchaser)  
A. Calisto Caminati, Jr. & Ron Spangenberg (agents)

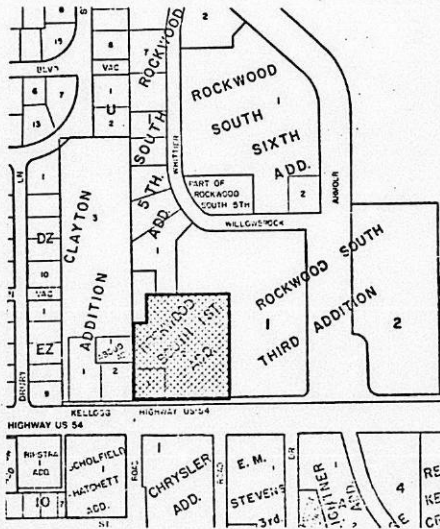
REQUEST: Approval of Kellogg Mall Commercial C.U.P.

CURRENT ZONING: "LC" Light Commercial District under C.U.P. DP-12

SITE SIZE: 4.88 acres requested for amendment

LOCATION: On the north side of Kellogg in an area west of  
Armour Drive

PROPOSED USE: Light Commercial uses including retail stores, toy  
store and service station



EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 17, 1987

LEGAL:

8. Case No. DP-12, Amendment #8 - Bank IV and M & N Investment Co. request approval of Kellogg Mall Commercial Community Unit Plan for Lots 1 and 2, Rockwood South First Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of Kellogg Street in an area west of Armour Drive.

SHERMAN informed the Commission that he had a potential conflict of interest in this case, and he would refrain from participating in the discussion and abstain from voting.

GALBRAITH pointed out land use, zoning and showed slides of the general area. He reviewed the following staff report:

BACKGROUND: The applicants are requesting approval of the C.U.P. amendment for property platted as Lots 1 and 2, Rockwood South First Addition (in Parcel 9 of the C.U.P.). The site is located north of Kellogg in an area west of Armour Drive and presently is developed with a Howard Johnson Restaurant and Motel (Lot 2) and Amoco Service Station (Lot 1). The contract purchaser for Lot 2 is proposing to remove the existing buildings and redevelop the site for a retail shopping center including a Children's Palace Toy Store, which is a national chain. The service station on Lot 1 will remain as it presently exists. All the other parcels in this C.U.P. will remain the same.

The amendment proposes to change the proposed uses on Lot 2 to include: "Service station, retail sales, general office, restaurants, financial institutions." Also new building setbacks to Kellogg Drive are placed on the C.U.P. -- 35 feet for Lot 1 and 60 feet for Lot 2. The total gross floor area is proposed to be decreased from 124,440 square feet to 65,000 square feet.

Parcel 9 should be divided into two subparcels -- Parcel 9A and Parcel 9B since the proposed uses and ownership of the two subparcels are different from each other. Parcel 9A should include the property on which the Amoco Service Station is located and should continue to indicate the proposed uses as a "Restaurant, Private Club and Service Station". Parcel 9B should be depicted as the remainder of the Parcel and include all the proposed uses and a total gross floor area of 58,123 square feet. Parcel 9A should include 6,877 square feet as the total gross floor area and the building should be limited to one story.

CASE HISTORY: The first Kellogg Mall C.U.P. (DP-12) was approved in 1966 and the previous amendment was approved in 1986.

ADJACENT ZONING AND LAND USE:

NORTH	LC in DP-12 & AA	Automobile sales, undeveloped & KG&E substation
SOUTH	LC	Automobile sales
EAST	LC in DP-12	Automobile sales
WEST	LC & B	Restaurants, apartments & KG&E substation

PL/1451/2

**PUBLIC SERVICES:** As required on the replat to the east, an additional 10-foot street r.o.w. dedication is needed from Lot 2 for future improvements for Kellogg. Prior to this C.U.P. being scheduled for the City Council, the applicant shall submit the required 10 feet of street r.o.w. dedication by separate instrument.

**CONFORMANCE TO PLANS/POLICIES:** The adopted comprehensive plan designates this area for commercial development.

**RECOMMENDATION:** Should the Planning Commission determine that this commercial development plan amendment is appropriate, the following are recommended conditions of approval:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. Prior to this C.U.P. amendment being scheduled for Wichita City Council, the applicant shall submit the separate dedication instrument for 10 feet of additional street r.o.w. for Kellogg Drive adjacent to Lot 2, Rockwood South First Addition.
- e. The revised C.U.P. shall indicate the changes needed to separate Parcel 9 into Parcel 9A and 9B.

**DISCUSSION:**

GALBRAITH recalled that when the Towne East C.U.P. was approved in 1966, the uses on this parcel were already existing. There was an Amoco Service Station and a Howard Johnson Motel and Restaurant, and on that C.U.P., it specifically states that the intended use is for an Amoco Service Station and a Howard Johnson Motel. He said that what is expressed now is an interest to remove the Howard Johnson Restaurant and Motel and construct new retail sales facilities there, particularly one that is called the Children's Palace Toy Store which is a national chain, and they are interested in developing on the Howard Johnson site along with other potential retail uses.

GALBRAITH stated that this present parcel on the C.U.P. does not have a building setback on it. The applicants are indicating two setbacks on the revision; one of 35 feet for the service station, and one of 60 feet for the Children's Palace, and then they are suggesting to include new uses like service stations, retail sales, general offices, restaurants and financial institutions.

GALBRAITH continued that the applicants' attorney asked if he could make sure that the Amoco restriction would be eliminated from the service station site so that some other type of service station might utilize the site some day. GALBRAITH felt it should be, and felt that was the intent the way their C.U.P. as now submitted.

GALBRAITH added that there is a need for ten feet of additional frontage road dedication which the Children's Palace portion of the parcel is willing to dedicate. But since the Amoco Service Station will remain, staff felt that it was not appropriate at this time to require them to dedicate 10 feet of right-of-way that would interfere with their location of service pumps and service drives. Therefore, staff is asking that Parcel 9 be redesigned into two parcels, Parcel A and Parcel B, and reflect on each parcel what can be developed and not change the intended use on the service station site except remove the word "Amoco" and give them the uses that were permitted on that site originally. In that way the Children's Palace can dedicate their right-of-way and remove the structures and construct the new uses as intended for their subparcel.

GALBRAITH stated that staff's recommendation was approval of the C.U.P. amendments as indicated subject to conditions as recommended in the staff report.

A. CALISTO CAMINATI, JR., development manager for the Cedarwood Companies located in Akron, Ohio, stated that they were present on behalf of their request for the C.U.P. amendment. They are representing the interest of their client, Children's Palace, who will be the major lessee of this project. He said that as Galbraith mentioned earlier, they are a national retailing store chain. They have 157 stores in 28 states. CAMINATI said that they had just completed two project for their client. One recently opened in Amarillo, Texas, and one in Arlington, Texas. He said that Children's Palace was very excited about coming into the Wichita market, and when they found this site, they were extremely excited about it with the proximity to the Mall. It is one of the important criteria that they look for in judging site acquisitions.

GARDNER asked Mr. Caminati if the terms and conditions set forth in the recommendation were agreeable to them.

CAMINATI said yes, that they worked closely with staff, and they are in concurrence.

STEVE MANSKE, Kansas Gas & Electric, stated that they had no objections to this amendment as long as KC&E retains, as Baughman Company has designed, a utility easement that allows them to get trucks back and forth into the substation for maintenance.

GALBRAITH asked if there was an easement now, or was there to be a new one filed.

BRENT WOOTEN, Baughman Company, stated that they have submitted a new easement to KG&E, and assuming that it is compatible, they will file it.

There was no one present in opposition to the application.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. Prior to this C.U.P. amendment being scheduled for Wichita City Council, the applicant shall submit the separate dedication instrument for 10 feet of additional street r.o.w. for Kellogg Drive adjacent to Lot 2, Rockwood South First Addition.
- e. The revised C.U.P. shall indicate the changes needed to separate Parcel 9 into Parcel 9A and 9B.
- f. Submit a letter from K.G. & E. stating that satisfactory arrangements have been made with the owner for easement access to serve their substation.

Wilson moved, Gardner seconded and it carried unanimously. Sherman abstained. Banzer, Conlee and Parsons were absent.

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THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE September 15, 1987

TO Jack Galbraith, Chief Planner-Current Plans

FROM Shirley Mast, Administrative Aide III *SM*

SUBJECT DP-12: Kellogg Mall Commercial  
C.U.P. north side of Kellogg in  
an area west of Armour Drive

On Monday, September 14, CPO East Side Neighborhood Council 2B considered the captioned case, a request for an amendment to the Kellogg Mall Commercial C.U.P. Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After discussion, the Council voted 7-0 to recommend approval of the request, subject to the conditions recommended in the MAPD Secretary's report.

The agent, George Sherman, was present to describe the request and respond to questions. No adjoining property owners or area residents were present concerning the case.

Please provide the Council's recommendation to the MAPC and City Council when case DP-12 is considered.

SM:dm

The Cedarwood  
COMPANIES

RECEIVED

SEP 28 1987

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

A Multi-Service  
Real Estate Development Firm

1765 Merriman Road  
Akron, Ohio 44315  
216/856-9971

Anthony A. Petrarca  
President

September 25, 1987

Mr. Jack H. Galbraith, Chief Planner  
Wichita-Sedgwick County  
Metropolitan Area Planning Commission  
City Hall-Tenth Floor  
455 North Main  
Wichita, Kansas 67702

AIRBORNE EXPRESS

RE: DP-12, Amendment #8-Kellogg Mall Commercial C.U.P  
Planning Commission Approval  
City Council Consideration

Dear Mr. Galbraith:

Enclosed please find the separate dedication instrument for 10 feet of additional street R.O.W. for Kellogg Drive adjacent to Lot 2, Rockwood South first addition. As we discussed the date has been left blank pending the actual closing on the property. I will provide you with a dated version at closing. In addition I am also enclosing the requested K.G. & E. letter.

SPSN, Inc. was to have submitted the ten (10) copies of the corrected C.U.P. on Friday, September 25, 1987.

With your receipt of all these materials our case will be forwarded to the City Council for consideration at their regular meeting on October 13, 1987.

Sincerely,

*Alausto Caminati*

A. Calisto Caminati, Jr.  
Development Manager

Enclosures

cc: Al Sulin	Fred Bejcek
Andy Duff	Georgiann Bare
Bruce Noggle	Barbara Harris WSC/MAPC
Keith Herzing	George Sherman/SPSN
Steve Korllos	Brent Wooten/Baughman



KANSAS GAS AND ELECTRIC COMPANY

September 24, 1987

STEVEN G. MENASCO  
ASSISTANT MANAGER - WICHITA REGION



Mr. Jack H. Galbraith, Chief Planner  
Wichita-Sedgwick County  
Metropolitan Area Planning Commission  
City Hall - Tenth Floor  
455 N. Main  
Wichita, KS 67202

RE: KG&E Access Easement Relocation  
DP-12, Amendment #8  
Kellogg Mall Commercial C.U.P.

Dear Mr. Galbraith:

Pursuant to the matter of the existing KG&E access easement to serve our substation located on the property identified as Lot 2, Rockwood South First Addition to Wichita, Kansas, please be advised of the following:

- 1) The 20' KG&E access easement recorded in Bk. 79 Pg. 1122 and Bk. 97, Pg. 1024 is proposed to be relocated. Consistent with the attached confirmation memo from Mr. Mark Savoy of the Baughman Company, P.A., dated September 14, 1987, we hereby approve the relocation of our KG&E access easement pursuant to the legal description and exhibit contained in the aforementioned document. (Copy enclosed)

This letter is submitted in satisfaction of the condition f. enumerated in the Metropolitan Area Planning Commission's letter dated September 18, 1987, regarding request DP-12, amendment #8-Kellogg Mall Commercial C.U.P.

Sincerely,

SGM/cv

Enclosure

cc: A. Calisto Caminati, Jr.  
Gene Moser

WILLIAM L. KORBER, L.S.  
 JOHN E. LUNDGLADE, L.S.  
 M. BRENT WOOTEN, P.E.



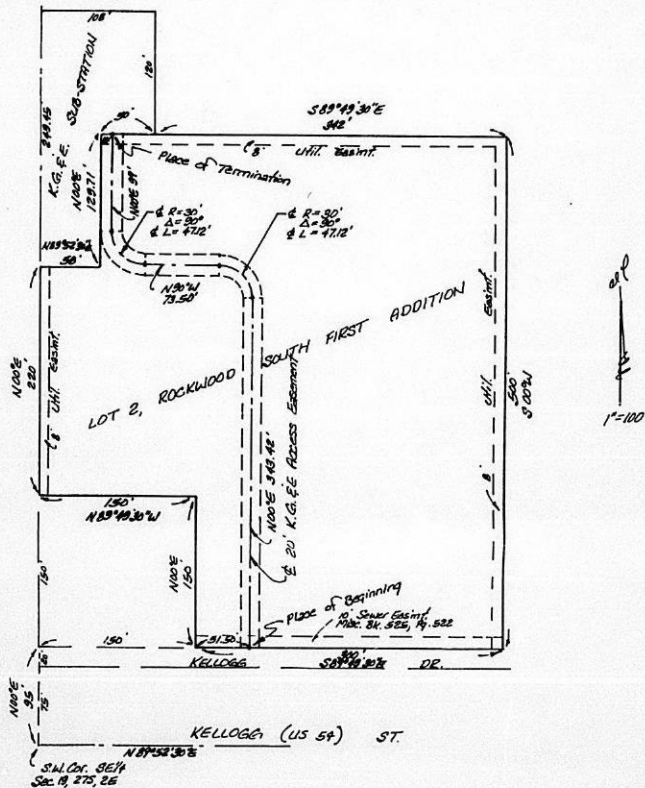
**BAUGHMAN COMPANY, P.A.**  
 SURVEYING & ENGINEERING  
 316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

September 14, 1987

**DESCRIPTION FOR KANSAS GAS AND ELECTRIC COMPANY ACCESS EASEMENT**

A strip of land 20 feet in width being 10 feet left and right of the following described center-line:

Commencing at the southern-most S.W. Corner of Lot 2, Rockwood South First Addition To Wichita, Kansas; thence S  $89^{\circ}49'30''$  E, along the south line of said Lot 2, 51.50 feet for a place of beginning; thence N  $00^{\circ}$  E, parallel with the west line of said Lot 2, 343.42 feet to the point of curvature of a curve to the left, having a radius of 30 feet and a central angle of  $90^{\circ}$ ; thence northerly, northwesterly and westerly along said curve, an arc distance of 47.12 feet to the point of tangency of said curve; thence N  $90^{\circ}$  W, along the tangent of said curve, 73.50 feet to the point of curvature of a curve to the right, having a radius of 30 feet and a central angle of  $90^{\circ}$ ; thence westerly, northwesterly and northerly along said curve, an arc distance of 47.12 feet to the point of tangency of said curve; thence N  $00^{\circ}$  E, along the tangent of said curve, 97 feet to a point on the north line of said Lot 2, said point being 10 feet east of the northern-most N.W. Corner of said Lot 2, for a place of termination.



M.A.S.

September 18, 1987

A. Calisto Caminati, Jr.  
Development Manager  
The Cedarwood Companies  
1765 Merriman Road  
Akron, Ohio 44313

Re: DP-12, Amendment #8 - Kellogg Mall Commercial C.U.P. On the north side of Kellogg in an area west of Armour Drive.

Dear Mr. Caminati:

At its regular meeting on September 17, 1987, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. Prior to this C.U.P. amendment being scheduled for Wichita City Council, the applicant shall submit the separate dedication instrument for 10 feet of additional street r.o.w. for Kellogg Drive adjacent to Lot 2, Rockwood South First Addition.
- ✕ The revised C.U.P. shall indicate the changes needed to separate Parcel 9 into Parcel 9A and 9B.

PL/0262/1

DP-12  
September 18, 1987  
Page 2

X Submit a letter from K.G. & E stating that satisfactory arrangements have been made with the owner for easement access to serve their substation.

Enclosed is a marked copy of the C.U.P. indicating the required changes. If we receive the dedication, the letter from KG&E and ten (10) corrected folded copies of the C.U.P. no later than September 30, 1987, this case will be forwarded to the City Council for consideration at their regular meeting on October 13, 1987. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG/lw

cc: Anthony A. Petarca, c/o Cedarwood Construction Co., Inc., 1765  
Merriman Rd., Akron, OH 44313  
Bank IV Wichita, c/o T. H. Schupp, P. O. Box 4, Wichita 67201-0004  
M & N Investment Co., Michael C. Weigand, 150 N. Market, Wichita 67202  
Ron Spangenberg, Spangenberg, Phillip, Sherman, Harrison, Inc., 151 N.  
Main, Wichita, KS 67202  
Steve Manske, K.G. & E., 310 N. Market, Wichita 67202

THE CITY OF WICHITA

OFFICE OF Citizen Participation      DATE    September 15, 1987

TO      Jack Galbraith, Chief Planner--Current Plans

FROM    Shirley Mast, Administrative Aide III *SM*

SUBJECT    DP-12: Kellogg Mall Commercial  
            C.U.P. north side of Kellogg in  
            an area west of Armour Drive

On Monday, September 14, CPO East Side Neighborhood Council 2B considered the captioned case, a request for an amendment to the Kellogg Mall Commercial C.U.P. Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After discussion, the Council voted 7-0 to recommend approval of the request, subject to the conditions recommended in the MAPD Secretary's report.

The agent, George Sherman, was present to describe the request and respond to questions. No adjoining property owners or area residents were present concerning the case.

Please provide the Council's recommendation to the MAPC and City Council when case DP-12 is considered.

SM:dm

STAFF REPORT

**CASE NUMBER:** DP-12, Amendment #8

**OWNER/APPLICANT/AGENT:** Bank IV and M & N Investment Co. (applicants)  
Cedarwood Construction Co. (contract purchaser)  
A. Calisto Caminati, Jr. & Ron Spangenberg (agents)

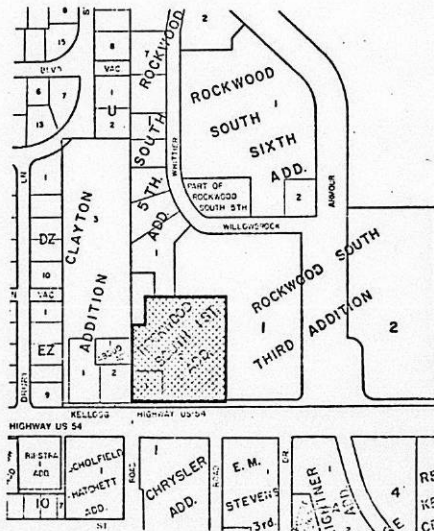
**REQUEST:** Approval of Kellogg Mall Commercial C.U.P.

**CURRENT ZONING:** "LC" Light Commercial District under C.U.P. DP-12

**SITE SIZE:** 4.88 acres requested for amendment

**LOCATION:** On the north side of Kellogg in an area west of  
Armour Drive

**PROPOSED USE:** Light Commercial uses including retail stores, toy  
store and service station



**BACKGROUND:** The applicants are requesting approval of the C.U.P. amendment for property platted as Lots 1 and 2, Rockwood South First Addition (in Parcel 9 of the C.U.P.). The site is located north of Kellogg in an area west of Armour Drive and presently is developed with Howard Johnson Restaurant and Motel (Lot 2) and Amoco Service Station (Lot 1). The contract purchaser for Lot 2 is proposing to remove the existing buildings and redevelop the site for a retail shopping center including a Children's Palace Toy Store, which is a national chain. The service station on Lot 1 will remain as it presently exists. All the other parcels in this C.U.P. will remain the same.

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**CASE HISTORY:** The first Kellogg Mall C.U.P. (DP-12) was approved in 1966 and the previous amendment was approved in 1986.

**ADJACENT ZONING AND LAND USE:**

NORTH	LC in DP-12 & AA	Automobile sales, undeveloped & KG&E substation
SOUTH	LC	Automobile sales
EAST	LC in DP-12	Automobile sales
WEST	LC & B	Restaurants, apartments & KG&E substation

**PUBLIC SERVICES:** As required on the replat to the east, an additional 10-foot street r.o.w. dedication is needed from Lot 2 for future improvements for Kellogg. Prior to this C.U.P. being scheduled for the City Council, the applicant shall submit the required 10 feet of street r.o.w. dedication by separate instrument.

**CONFORMANCE TO PLANS/POLICIES:** The adopted comprehensive plan designates this area for commercial development.

**RECOMMENDATION:** Should the Planning Commission determine that this commercial development plan amendment is appropriate, the following are recommended conditions of approval:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as

DP-12 SR

determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. Prior to this C.U.P. amendment being scheduled for Wichita City Council, the applicant shall submit the separate dedication instrument for 10 feet of additional street r.o.w. for Kellogg Drive adjacent to Lot 2, Rockwood South First Addition.
- e. The revised C.U.P. shall indicate the changes needed to separate Parcel 9 into Parcel 9A and 9B.

CASE NO. DP-127, Amendment #8

146	Notices to adjoining property owners mailed on 9-3-87 for CPO meeting on 9-14-87 and for MAPC meeting on 9-17-87.
5	One each to Applicants and Agents.
3	One each to CPO, Carl Gipson, City Council Member.
4	One each to Louise, Barbara, Jack and Karen.
<hr/>	
158	TOTAL

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

September 3, 1987

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, September 17, 1987, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Council Chambers, First Floor, City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to the KELLOGG MALL COMMERCIAL COMMUNITY UNIT PLAN for property legally described as follows:

DP-12,  
Amendment #8: Lots 1 and 2, Rockwood South First Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of Kellogg Street in an area west of Armour Drive.

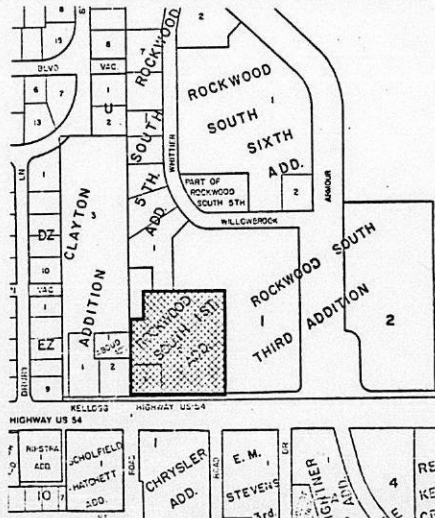
The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The amended Development Plan now on file proposes changes to Parcel 9 only. Presently, there is a Howard Johnson's Restaurant and Motel and a service station on the property. The applicant proposes to retain the service station and remove the balance of the buildings on Parcel 9 in order to re-develop the site for retail shopping uses. Other proposed uses for this parcel are: service station, general office, restaurants and financial institutions. Additional information regarding the square footage, building setbacks, street right-of-way, etc. is specified on the plan.

The hearing of the proposed amendment to this Development Plan is to be held and the same will then and there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Eastside Neighborhood Council "2B" will consider this case at their meeting to be held on Monday, September 14, 1987, at 7 p.m., at the Capitol Federal Savings and Loan Building, 8040 East Douglas. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



( \_\_\_\_\_ ) Published in the Daily Record on August 25, 1987 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, September 17, 1987, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Council Chambers, First Floor, City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to the KELLOGG MALL COMMERCIAL COMMUNITY UNIT PLAN for property legally described as follows:

DP-12,  
Amendment #8:      Lots 1 and 2, Rockwood South First Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of Kellogg Street in an area west of Armour Drive.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

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The hearing of the proposed amendment to this Development Plan is to be held and the same will then and there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND this 25th day of August, 1987.

Marvin S. Krout, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning Commission

PL/3067/4

The  
**Cedarwood**  
COMPANIES

A Multi-Service  
Real Estate Development Firm

1765 Merriman Road  
Akron, Ohio 44313  
216/836-9971

Anthony A. Petrarca  
President

August 25, 1987

Mr. Jack H. Galbraith  
Chief Planner, Current Plans Division  
Wichita Sedgewick County  
Metropolitan Area Planning Department  
City Hall, Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Re: Site Plan and Elevation Renderings  
Children's Palace Project  
7300 Kellogg Drive

AIRBORNE EXPRESS

Dear Jack:

Enclosed please find a rendered site plan and elevations for you to photograph and use as part of the slide presentation before the W.S.C. M.A.P.C. on Thursday, September 17, 1987. I have also included extra copies of the site plan for your use. I will be traveling to Wichita next week and will pick up the color renderings at that time. Thank you for your cooperation in this matter.

Sincerely yours,

*A. Calisto Caminati, Jr.*

A. Calisto Caminati, Jr.  
Development Manager

Enclosure

cc: Al Sulin  
Bruce Noggle  
Steve Korllos  
Keith Herzling  
Fred Bejcek  
Don E. Anderson/City of Wichita

RECEIVED

AUG 26 1987

METROPOLITAN PLANNING

ROUTE

**IMPORTANT MESSAGE**

FOR Barbara Harris

DATE 8/25 TIME 8:30 <sup>AM</sup> P.M.

**WHILE YOU WERE AWAY**

OF George Sherman

PHONE No. 267-4002

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RETURNED YOUR CALL	

MESSAGE \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNED \_\_\_\_\_

FORM 000-017

**IMPORTANT MESSAGE**

FOR Paul

DATE 8/20 TIME 1:00 <sup>PM</sup> P.M.

**WHILE YOU WERE AWAY**

OF Bob Casfield

OF Fire Dept.

PHONE No. \_\_\_\_\_

TELEPHONED		PLEASE CALL	
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RETURNED YOUR CALL	

MESSAGE Have no problem with the Kellogg Mill Cup the way it is.

SIGNED Lucky

FORM 000-017

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

August 17, 1987

TO: Marvin Krout, Director of Planning  
Walt Campbell, Deputy Chief of Operations  
Bill McKinley, Traffic Engineer  
Mike Lindebak, City Engineer

FROM: Barbara R. Harris, Senior Planner

RE: DP-12, Amendment (to Parcel 9 only) - Kellogg Mall Community  
Unit Plan. Generally located on the north side of Kellogg in an  
area west of Armour.

Attached for your review and comments is a copy of the proposed development plan for the above-referenced property. Planning Staff has advised the contract purchaser (Children's Palace Toy Store) that a 10-foot additional street dedication by separate instrument will be necessary along Parcel 9 for Kellogg Drive. Also, we have advised that the C.U.P. should indicate a 60-foot building setback to Kellogg Drive and a 30-foot setback around the perimeter of the Parcel. Are these requested street dedication and building setbacks adequate for the City's needs?

I would appreciate your comments regarding this development proposal as soon as possible.

BRH:blw  
Attachments

PL/3045/4

The  
**Cedarwood**  
COMPANIES

*A Multi-Service  
Real Estate Development Firm*

1765 Merriman Road  
Akron, Ohio 44313  
216/836-9971

Anthony A. Petrarca  
President

AIRBORNE EXPRESS

August 14, 1987

Mr. Jack H. Galbraith  
Chief Planner, Current Plans Division  
WSC Metropolitan Area Planning Dept.  
City Hall, Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

RECEIVED

AUG 14 1987

METROPOLITAN PLANNING

ROUTE

RE: Community Unit Plan Amendment  
Parcel No. 9/Rockwood South First Addition  
Children's Palace Project/7300 East Kellogg

Dear Mr. Galbraith:

Enclosed please find our completed application for an amendment to a Community Unit Plan. Cedarwood Construction Company, Inc. has entered into a Sales Contract to purchase the property presently occupied by Howard Johnson's located at 7300 East Kellogg. The property is further identified as Lot No. 2, Rockwood South First Addition. Our intent with regard to our development of this property would be to raze all the existing Howard Johnson's structures. The project we propose for the site will be a retail shopping center that will include as an anchor tenant, Children's Palace, a large major national retailer of toys. In order to proceed with our development, it is necessary to amend the present language relating to proposed uses for Parcel No. 9 which restricts the use to that which exists now. Our proposed language modification will accommodate the project we propose.

I am also including with this application submittal an authorized letter from Bank IV Wichita, N.A., owner of the aforementioned real estate as per your request at our last meeting.

The application fee of Two Hundred Dollars (\$200.00) is also enclosed.

The required current abstractor's certificate will be delivered under separate cover by Ron Spangenberg's office no later than Wednesday, August 19, 1987.

Offices also in: Boca Raton • Orlando • Memphis • Indianapolis

Mr. Jack H. Galbraith  
August 13, 1987  
Page Two

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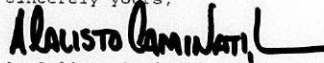
My understanding is that your office is in receipt of six (6) copies of the Proposed Community Unit Plan Amendment which were delivered Monday, August 10, 1987.

Upon receipt of the enclosed application materials, we will be scheduled for the following dates:

- |                                      |                              |
|--------------------------------------|------------------------------|
| 1. Advertising date                  | Tuesday, August 25, 1987     |
| 2. WSC M A P D hearing date          | Thursday, September 17, 1987 |
| 3. Wichita City Council Meeting date | Tuesday, October 13, 1987    |

Thank you for your consideration in this matter. I look forward to working with you and your staff to achieve a successful project; one that both the City of Wichita and Cedarwood can be proud of.

Sincerely yours,



A. Calisto Caminati, Jr.  
Development Manager

vrs  
Enclosures

cc: Al Sulin  
Andy Duff  
Georgiann Bare  
Bruce Noggle  
Keith Herzling  
Steve Korllos  
Fred Bejcek

Mr. Ron Spangenberg  
Spangenberg Phillips Sherman Harrison, Inc.

T. H. Schupp  
Bank IV Wichita, N.A.

Mr. Don E. Anderson  
City of Wichita

**J.P. Weigand & Sons, Inc. Realtors**

150 North Market

Wichita, Kansas 67202

(316) 262-6404

Michael C. Weigand  
Senior Vice President

August 20, 1987

Mr. Jack Galbraith  
Chief Planner  
Wichita Metropolitan Area Planning Department  
455 North Main, 10th Floor  
Wichita, KS 67202

Dear Jack:

It is the writer's understanding that you are in the process of amending the CUP on that portion of the Rockwood South Addition, consisting of Lots 1 and 2, and Parcel Number 9 (those properties commonly known as the Howard Johnson Motel and the Standard Oil Service Station).

This is to advise you that, as owners of Lot 1 in the above mentioned Addition, we would like to respectfully request that you consider changing the CUP to reflect our interest in both Lots 1 and 2, being changed to include the words as a part of the permitted uses, "retail uses."

If there is anything else that needs to be done to facilitate the amending of the CUP, would you please contact me.

Very truly yours,

M & N INVESTMENT COMPANY

  
Michael C. Weigand, Partner

MCW/bks

**RECEIVED**

AUG 20 1987

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_



RESIDENTIAL • COMMERCIAL • INDUSTRIAL • INVESTMENT • COUNSELING • SITE SELECTION  
ESTABLISHED 1902

**J.P. Weigand & Sons, Inc. Realtors**

150 North Market, Wichita, Kansas 67202

Mr. Jack Galbraith  
Chief Planner  
Wichita Metropolitan Area Plannign Department  
455 North Main, 10th Floor  
Wichita, KS 67202

CASE NO. DP-12, Amendment #8

KELLOGG MALL COMMERCIAL  
COMMUNITY UNIT PLAN

Lots 1 and 2, Rockwood South First Addition, Wichita, Sedgwick County,  
Kansas. Generally located on the north side of Kellogg Street in an area  
west of Armour Drive.

591B

PL/3062/4

**APPLICATION FOR COMMUNITY UNIT PLAN  
(PLANNED RESIDENTIAL OR COMMERCIAL DEVELOPMENT)  
FOR PROPERTY LOCATED WITHIN THE LIMITS OF THE  
CITY OF WICHITA, KANSAS**

DP-12,  
Amendment  
# 8

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.

A. APPLICANT \_\_\_\_\_ (See Attached)  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

B. APPLICANT \_\_\_\_\_ (See Attached)  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

C. APPLICANT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants).

2. A. The applicant hereby requests approval amendment (circle appropriate word) of a Community Unit Plan on property zoned L.C. (Light Commercial) and legally described as Lot(s) ~~1 + 2~~ 1 + 2, Block(s) N/A of the Rockwood South First Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

B. There are 4.99 acres (round to nearest tenth) in the above described property. (Parcel No. 9) *early!*

FOR OFFICE USE ONLY *LC in DP 12* *CPO 25 9-7-97*  
 Map No. 5747 *etc* Zoning (N) AA (S) LC (E) LC in (W) LC+B MAPC 9-1787  
 T9-330-3 *DP 12* Revised 9/85

3. The general location is (USE APPROPRIATE SECTION):

A. At the \_\_\_\_\_ corner of \_\_\_\_\_ and  
(N/A) \_\_\_\_\_, OR

B. On the North side of Kellogg <sup>in an area</sup> ~~(Ave.)~~ Street between  
Stratford Road ~~(Ave.)~~ Street and Armour Drive ~~(Ave.)~~ Street.  
Site of the Howard Johnson's

4. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

Anthony C. Pittman  
APPLICANT'S SIGNATURE

BY Mausolaminat  
AUTHORIZED AGENT (IF ANY)

<sup>BT</sup> BANK IV - see letter dated 8-11-87  
APPLICANT'S SIGNATURE BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

<sup>BT</sup> M+N Investment Co - See letter dated 8-20-87  
APPLICANT'S SIGNATURE BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 9<sup>00</sup> (AM)  
PM) on 8-17-87 (day, month, year). It has been checked and  
found to be complete and accompanied by required documents and the appropri-  
ate fee of \$ 200.00.

Barbara Harris Name  
Senior Planner Title

1. Name of applicant or applicants and/or their agent or agents.

- A. APPLICANT            Anthony A. Petrarca  
(Contract to            Cedarwood Construction Company, Inc.  
Purchase                1765 Merriman Road  
Holder)                 Akron, Ohio 44313  
                              (216) 836-9971
- AGENT                    A. Calisto Caminati, Jr.  
                              Development Manager  
                              The Cedarwood Companies  
                              1765 Merriman Road  
                              Akron, Ohio 44313  
                              (216) 836-9971  
                              (216) 869-4132
- AGENT                    Ron Spangenberg  
                              c/o Spangenberg Phillips Sherman Harrison, Inc.  
                              151 N. Main Street  
                              Wichita, Kansas 67202  
                              (316) 267-4002
- B. PRESENT                BANK IV Wichita, National Association as Trustee  
OWNER                    (For the Yingling Trust)  
                              T. H. Schupp, Vice President and Trust Officer  
                              BANK IV Wichita, N.A.  
                              P. O. Box 4  
                              Wichita, Kansas 67201-0004  
                              (361) 261-4444
- C. Present                 M+N Investment Company  
owner                     Michael C. Weigand, Partner  
(Standard                 J. P. Weigand + Sons, Inc.  
Service                    150 N. Market  
Station)                    Wichita 67202  
                              262-6404

BANK IV Wichita, N.A.  
Post Office Box 4  
Wichita, Kansas 67201-0004  
Telephone 316 261-4444

August 11, 1987

**BANK IV**

The City of Wichita  
Wichita, KS 67202

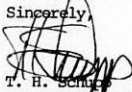
RE: Lot 2 Rockwood South First Addition to  
the City of Wichita, Sedgwick County, Kansas

Gentlemen:

BANK IV Wichita, National Association as Trustee of the Testamentary Trusts under the Will of E. V. Yingling, Jr. is an owner of the above described real estate and as such is entering into a contract of sale with Cedarwood Construction Company, Inc. to sell its interest in this property to Cedarwood Construction Company, Inc.

In its capacity as Trustee under the Will of E. V. Yingling, Jr. BANK IV Wichita, N.A. does authorize Cedarwood Construction Company, Inc. to file an application for amendment to the community unit plan that presently exists with respect to this property and authorizes Cedarwood Construction Company, Inc. to proceed with any and all procedures necessary to affect such an amendment.

Sincerely,

  
T. H. Schuch  
Vice President  
and Trust Officer

/cr

**RECEIVED**

AUG 14 1987

METROPOLITAN PLANNING  
ROUTE

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: MI -EB-00229- - - RE 17 JLL

*Trustee by Malow*  
OWNER TITLE TRUSTEE

8710 BRENTWOOD  
WICHITA KS 67206 5701  
5 10 FT LOT 6 ALL LOT 7  
BLOCK T  
EASTBOROUGH 3RD. ADD.

PROPERTY ADDRESS  
73 MISSION RD

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: MI -EB-00229- - - RE 17 JLL

KING JEFF H ETUX

9  
WICHITA WILLOW BROOK  
LOT 9 KS 67207 5701  
BLOCK T  
EASTBOROUGH 3RD. ADD.

PROPERTY ADDRESS  
9 WILLOWBROOK

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: MI -EB-00230- - - RE 17 JLL

KING JEFF H ETUX

9  
WICHITA WILLOWBROOK  
LOT 10 KS 67207 5701  
BLOCK T  
EASTBOROUGH 3RD. ADD.

PROPERTY ADDRESS  
9 WILLOWBROOK

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: MI -C-45514- - - RE 17 JLL

MURFIN DAVID L

SUITE 300  
250 N. WATER  
WICHITA KS 67202 6702  
LOT 2  
ROCKWOOD SOUTH SIXTH ADD.

PROPERTY ADDRESS  
335 S ARMOUR

DP-12, #8

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-25382- RE 17 JLL

LIGHTNER HOTELS INC ✓  
1/2 HOLIDAY INN PLAZA  
250 W DOUGLAS KS 67202 6702 PROPERTY ADDRESS 7411 E KELLOGG ST  
WICHITA  
BLOCK 4 EXC BEG SE COR N 108.98 FT  
B-31.51 FT SWLY 41.48 FT SELY 87.17  
FT TO BEG EASTRIDGE 8TH. ADD.

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-30890- RE 17 JLL

RIPSTRA J G ✓  
1015 E DOUGLAS KS 67211 6702 PROPERTY ADDRESS 7001 E KELLOGG ST  
WICHITA  
LOT 1  
RIPSTRA ADD.

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-22921- RE 17 JLL

WIND STEPHEN M & LISA M ✓  
615 WHITTIER KS 67207 6702 PROPERTY ADDRESS 615 WHITTIER RD  
WICHITA  
LOT 2  
BLOCK A  
EASTRIDGE 6TH. ADD.

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-21853- RE 17 JLL

MESLER PHILLIP J ✓  
5225 W. 75TH. KS 66208 6702 PROPERTY ADDRESS 503 DRURY LN  
PRAIRIE VILLAGE  
LOT 15  
BLOCK 2  
EASTRIDGE 5TH. ADDITION

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-21830- RE 17 JLL

BOYLES DONALD L ETUX ✓  
7037 E ORME KS 67207 6702 PROPERTY ADDRESS 7037 E ORME ST  
WICHITA  
LOT 8  
BLOCK 1  
EASTRIDGE 5TH. ADDITION

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-21834- RE 17 JLL

KAKKAR RAM GOPAL ETUX ✓  
18321 JEFFREY AVE KS 90701 6702 PROPERTY ADDRESS 7026 E GILBERT ST  
CERRITOS  
LOT 2  
BLOCK 1  
EASTRIDGE 5TH. ADD.

NO 67207 6702  
BLOCK 1  
EASTRIDGE 5TH. ADDITION

PF-KEYS. 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C -21834- RE 17 JLL

KAKKAR RAM GOPAL ETUX ✓

18321 JEFFREY AVE  
CERRITOS CA 90701 6702  
LOT 12  
BLOCK 1  
EASTRIDGE 5TH. ADD.

PROPERTY ADDRESS  
7026 E GILBERT ST

PF-KEYS. 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C -21826- RE 17 JLL

HALL LILLIAN C ✓

605 S MISSION RD.  
WICHITA KS 67207 6702  
LOT 2  
BLOCK 2  
EASTRIDGE 5TH. ADD.

PROPERTY ADDRESS  
508 S MISSION DR

PF-KEYS. 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C -21826- RE 17 JLL

SIMION MARY ANN ✓

7013 E ORME  
WICHITA KS 67207 6702  
LOT 4  
BLOCK 1  
EASTRIDGE 5TH. ADD.

PROPERTY ADDRESS  
7013 E ORME ST

PF-KEYS. 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: MI -EE-00320- RE 17 JLL

CANNON EVA ✓  
BOX 1401 NAT'L. BK. TRUST DEPT.

WICHITA KS 67201 5701  
LOT 6  
BLOCK 02  
EASTBOROUGH 3RD. ADD.

PROPERTY ADDRESS  
6 DRURY LN

PF-KEYS. 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C -18399-0001- RE 17 JLL

CAMIEN LINA ETAL ✓

853 FAULKNER  
WICHITA KS 67203 6702  
E 23 FT W 57 FT LOT 4  
BLOCK 10  
EASTRIDGE ADD.

PROPERTY ADDRESS  
6926 E ORME ST

PF-KEYS. 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: (E) -C -18399-0002- RE 17 JLL

18400  
SQUIRE CORINNE BLANCHE ✓

#214  
2858 KESTER  
VAN INLYS CA 91405 6702  
E 23 FT LOT 4 & W 33 FT LOT 5  
BLOCK 10  
EASTRIDGE ADD.

PROPERTY ADDRESS  
6932 E ORME ST

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-21840- - RE 17 JLL

HALL LILLIAN C ✓

605 S MISSION RD.  
WICHITA KS 67207 6702  
LOT 2  
BLOCK 2  
EASTRIDGE 5TH. ADD. X

PROPERTY ADDRESS  
508 S MISSION DR

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-21826- - RE 17 JLL

SIMION MARY ANN ✓

7013 E ORME  
WICHITA KS 67207 6702  
LOT 4  
BLOCK 1  
EASTRIDGE 5TH. ADD. X

PROPERTY ADDRESS  
7013 E ORME ST

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: MI-EB-00326- - RE 17 JLL

CANNON EXP NAT'L. BK. TRUST DEPT. ✓

BOX 1401  
WICHITA KS 67201 5701 X  
LOT 6  
BLOCK 02  
EASTBOROUGH 3RD. ADD.

PROPERTY ADDRESS  
6 DRURY LN

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-18399-0001- - RE 17 JLL

CAMIEN LINA ETAL X

653 FAULKNER  
WICHITA KS 67203 6702 X  
E 54 FT W 57 FT LOT 4  
BLOCK 10  
EASTRIDGE ADD.

PROPERTY ADDRESS  
6926 E ORME ST

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-18400- - RE 17 JLL

SQUIRE CORINNE BLANCHE ✓

#214  
6958 KESTER X  
VAN NUYS CA 91405 6702  
E 23 FT LOT 4 & W 33 FT LOT 5  
BLOCK 10  
EASTRIDGE ADD.

PROPERTY ADDRESS  
6932 E ORME ST

PF-KEYS, 1-MENU, 2-BACK, 3-FWD, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-18401-0002- - RE 17 JLL

& C-18402  
SHENK LLOYD N ETUX ✓

.2415 LINDA JEAN DR X  
INDEPENDENCE KS 67301 6702  
E 15 FT LOT 6 & W 41 FT LOT 7  
BLOCK 10  
EASTRIDGE ADD.

PROPERTY ADDRESS  
7008 E ORME ST

PF-KEYS: 1-MENU, 2-BACK, 3-FIND, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-21727-0049-0003 RE 17 JLL

KANSAS GAS & ELEC CO  
V HARRY PILKINGTON  
PO BOX 208

PROPERTY ADDRESS

WICHITA KS 67201 6702  
SEC 630 FT N SW COR SE 1/4  
E 58 FT S TO N LI LOT 2 ROCKWOOD  
SO 1ST ADD R/R 50 FT N 120 FT W  
TO W LI SE 1/4 S TO BEG  
SEC 19-27-2E UTILITY ROLL

PF-KEYS: 1-MENU, 2-BACK, 3-FIND, 4-NEW ID, 5-DEED, 6-SPEEDX, 7-CURR SP, 8-LAND TYPE  
KEY: -C-21727-0050- RE 17 JLL

KANSAS GAS & ELEC CO  
V HARRY PILKINGTON  
PO BOX 208

PROPERTY ADDRESS  
7202 E KELLOGG

WICHITA KS 67201 6702  
BEG 465 FT N SW COR SE 1/4 E 58  
FT N 165 FT W 58 FT S TO BEG  
SEC 19-27-2E UTILITY ROLL

STATEMENT OF OWNERSHIP

STATE OF KANSAS )

) SS:

SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the Office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas.

And from such examination in the Office of the Register of Deeds, limited to records containing the Descriptions as set forth below, find that the owners thereof are set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

DESCRIPTIONS

RECORD OWNERS



A tract beginning 465 feet north of the southwest corner of the southeast quarter of Section 19, Township 27, Range 2 East; thence east 8 feet; thence north 100 feet; thence east 50 feet; thence north 65 feet; thence west 58 feet to west line of Southeast quarter; thence south along west line 165 feet to a point of beginning. Subject to a easement of record

X Kansas Gas and Electric Company  
120 E. 1st Street  
Wichita, Kansas 67202

Beginning 630 feet North of the Southwest Corner of the Southeast Quarter of Section 19, Township 27 South, Range 2 East, thence East 58 feet, thence South 35.29 feet more or less, to the North line of Lot 2, Rockwood South First Addition, thence East 50 feet, thence North 120 feet, thence West 108 feet to the West line of said Southeast Quarter, thence South along the West line of said Southeast Quarter 84.45 feet, more or less, to point of beginning,

JWP Kansas Gas and Electric Co.  
120 E. 1st Street  
Wichita, Kansas 67202

Lot 1, KELLOGG Mall Addition, Wichita, Sedgwick County, Kansas, except that part described as commencing at point 1790.35 feet South and 60 feet West of the Northeast Corner of the Southeast Quarter of Section 19, Township 27, Range 2 East, thence Westerly parallel with U.S. Highway 54 right-of-way, 23.25 feet to the

) Legal Continued on Next Page

Fidelity  Title  
COMPANY, INC.

DESCRIPTIONS

RECORD OWNER

Continued from preceeding page

East line of said Lot 1, and a place of beginning; thence Continuing Westerly parallel with said highway, 176.75 feet; thence Southerly parallel with the East line of said Southeast Quarter 350 feet; thence East parallel with the East line of said Southeast Quarter 350 feet; thence East parallel with said Highway 183.1 feet to the East line of said Lot 1; thence Northerly along the East line of said Lot 1, 350.07 feet to the place of beginning.

Towne East Joint Venture,  
an Indiana general partnership  
Merchants Plaza  
P.O. Box 7033  
Indianapolis, Indiana 46207

Part of Lot 1, KELLOGG MALL ADDITION, Wichita, Sedgwick County, Kansas, described as commencing at a point 1790.35 feet South and 60 feet West of the Northeast corner of the Southeast Quarter of Section 19, Township 27 South, Range 2 East; thence West parallel with U.S. Highway 54 right-of-way, 23.25 feet to the East line of said Lot 1 and a place of beginning; thence continuing West parallel with said Highway 176.75 feet; thence South parallel with the East line of said Southeast Quarter, 350 feet; thence East parallel with said Highway 183.10 feet to the East line of said Lot 1, 350.07 feet to the place of beginning, containing 1.45 acres.

KELLOGG MALL ASSOCIATES  
Merchants Plaza  
P.O. Box 7033  
Indianapolis, Indiana 46207



Lots 2 and 3, KELLOGG MALL ADDITION

KELLOGG MALL ASSOCIATES  
Merchants Plaza  
c/o Melvin Siner & Associates  
P.O. Box 7033  
Indianapolis, Indiana 46207

Lot 4, KELLOGG MALL ADDITION,

KELLOGG MALL ASSOCIATES  
Merchants Plaza  
P.O. Box 7033  
Indianapolis, Indiana 46207

Lot 1, ROCKWOOD SOUTH SIXTH ADDITION,

Dayton-Hudson Corporation  
777 Nicollet Mall  
Minneapolis, Minnesota 55402

Lot 2, in ROCKWOOD SOUTH SIXTH ADDITION,

David L. Murfin  
ADDRESS UNKNOWN

*Suite 300  
250 N. Water  
61202*



DESCRIPTIONS

Lots 1 through 12, Block 1,  
ROCKWOOD SOUTH FIFTH ADDITION  
to Wichita, Sedgwick County,  
Kansas.

That Part of Lot 1, Block 2,  
ROCKWOOD SOUTH FIFTH ADDITION,  
Wichita, Sedgwick County, Kansas,  
described as follows: Beginning  
at a point on the South line  
of said Lot 1, said point being  
308.20 feet West of the Southeast  
Corner thereof; thence Westerly,  
along said South line, 187.00  
feet to the P.C. of a curve to  
the right with a radius of 60  
feet and a central angle of 44°05';  
thence Northwesterly, along said  
curve, 46.16 feet to the P.T.  
of said curve and the P.C. of  
a curve to the right with a radius  
of 323.79 feet and a central  
angle of 33°31'27"; thence North-  
westerly, along said curve 189.45  
feet; thence Easterly, parallel  
with the South line of said Lot  
1, 319.73 feet; thence Southerly  
with a deflection angle to the  
right 90°, 180.00 feet to the  
point of beginning.



Lot 2, Block 2, ROCKWOOD SOUTH  
FIFTH ADDITION, Wichita, Sedgwick  
County, Kansas, Except a tract  
described as follows: Beginning  
at the Southwest corner of said  
Lot 2, and on the east right-of-  
way line of Whittier; thence North  
89.99 feet along said East right-  
of-way line of Whittier having a  
bearing of North 00°01'24" West;  
thence 39.12 feet on a bearing of  
North 80°58'36" East; thence 193.08  
feet on a bearing of North 42°03'  
08" East to the Southwesterly right-  
of-way line of Armour; thence 177.79  
feet on a bearing of South 47°55'  
32" East and along said Southwest-  
erly right-of-way line of Armour;  
thence Southwesterly and West  
with the following distances and  
bearings from the preceding course;  
thence 81.90 feet on a bearing of  
South 42°03'08" West; thence 53.65  
feet on a bearing of South 00°01'  
24" East; thence 245.23 feet on a  
bearing of South 89°58'35" West to  
the point of beginning.

RECORD OWNERS

Aina Nui Corporation  
828 Fort Street Mall  
Suite 500  
Honolulu, Hawaii 96813

General Mills Restaurant  
Group, Inc.  
P. O. Box 13330  
Orlando, Florida 32859

*Handwritten initials*

*Handwritten initials*

*Handwritten initials*

Aina Nui Corporation  
828 Fort Street Mall  
Suite 500  
Honolulu, Hawaii 96813

c/o  
Aina Nui Corporation  
400 East Douglas  
Wichita, Kansas 67202



DESCRIPTIONS

RECORD OWNERS

That part of Lot 2, Block 2, ROCKWOOD SOUTH FIFTH ADDITION, Wichita, Sedgwick County, Kansas, beginning at the Southwest corner of said Lot 2, and on the east right-of-way line of Whittier; thence North 89.99 feet along said East right-of-way line of Whittier having a bearing of North 00°01'24" West; thence 39.12 feet on a bearing of North 80°58'36" East; thence 193.08 feet on a bearing of North 42°03'08" East to the Southwesterly right-of-way line of armour; thence 177.79 feet on a bearing of South 47°55'32" East and along said Southwesterly right-of-way line of Armour; thence Southwesterly and West with the following distances and bearings from the preceding course; thence 81.90 feet on a bearing of South 42°03'08" West; thence 53.65 feet on a bearing of South 00°01'24" East; thence 245.23 feet on a bearing of South 89°58'35" West to the point of beginning.

Southwest National Bank  
225 South Armour  
Wichita, Kansas 67207



Lot 1, ROCKWOOD SOUTH THIRD ADDITION to the City of Wichita, Sedgwick County, Kansas.

O. L. Eck  
320 Windrose  
Goddard, Kansas 67052

Lot 2, ROCKWOOD SOUTH 3RD ADDITION, Sedgwick County, Kansas.

Robert W. Moore  
1933 Palisade  
Wichita, Kansas 67213

Lot 1, ROCKWOOD SOUTH SECOND ADDITION, Wichita, Sedgwick County, Kansas.

Kenneth D. Denton  
4640 E. Mount Vernon Road  
Wichita, Kansas 67218

Lot 1, ROCKWOOD SOUTH FIRST ADDITION to Wichita, Kansas, Sedgwick County, Kansas.

M & N Investment  
150 N. Market  
Wichita, Kansas 67202

Lot 2, ROCKWOOD SOUTH FIRST ADDITION, to Wichita, Kansas, Sedgwick County, Kansas.

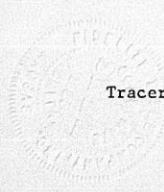
E. V. Yingling, Jr. and  
Doreen M. Yingling  
24 Via Roma  
Wichita, Kansas 67230

Dated at Wichita, Kansas, this 14th day of August, 1987 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

*Medina K. Sutter*  
By  
Administrative Secretary

Tracer No. 73986





DESCRIPTION

RECORD OWNER

Lot 8, Block T, EASTBOROUGH  
THIRD ADDITION,

Marvin R. & Jill E. Reimer  
56 South Mission  
Wichita, Kansas 67207

Lots 9 & 10, Block T, EASTBOROUGH  
THIRD ADDITION

Jeff H. & Mildred C. King  
ADDRESS UNKNOWN *9 Willowbrook 67207*

Lots 11 & 12, Block T, EASTBOROUGH  
THIRD ADDITION

Dwane L. & Velman L. Wallace  
5 Willowbrook Road  
Wichita, Kansas 67207

Lot 13, Block T, EASTBOROUGH  
THIRD ADDITION

Warner & Maxine Moore  
1 Willowbrook Road  
Wichita, Kansas 67207

Lot 1, Block B, EASTRIDGE  
SIXTH ADDITION,

Robert Ray Seten and  
Frank L. & Vivian Seten  
602 Whittier Street  
Wichita, Kansas 67207

Lot 2, Block B, EASTRIDGE SIXTH  
ADDITION,

Drandco, A Kansas Corporation  
2930 E. Harry  
Wichita, Kansas 67207



Lot 3, Block B, EASTRIDGE  
SIXTH ADDITION,

Lee G. & Johnnie M. Graddy  
614 Whittier Street  
Wichita, Kansas 67207

Lot 4, Block B, EASTRIDGE  
SIXTH ADDITION,

Cecil I. & Betty R. Peterson  
620 Whittier Street  
Wichita, Kansas 67207

Lot 5, Block B, EASTRIDGE SIXTH  
ADDITION

Charles T. & Gertrude J. Eads  
626 Whittier Street  
Wichita, Kansas 67207

Lot 6, Block B, EASTRIDGE  
SIXTH ADDITION

Bihn & Connie Le  
623 Whittier Street  
Wichita, Kansas 67207

Lot 17, Block B, EASTRIDGE  
SIXTH ADDITION,

Donald F. and Marilyn L. Gattis  
633 Calhoun Drive  
Wichita, Kansas 67207

Lot 18, Block B, EASTRIDGE  
SIXTH ADDITION,

Virgil & Sylvia L. Kelly  
627 Calhoun Drive  
Wichita, Kansas 67207

Lot 19, Block B, EASTRIDGE  
SIXTH ADDITION,

Iman El Helwi  
621 Calhoun Drive  
Wichita, Kansas 67207

Lot 20, Block B, EASTRIDGE  
SIXTH ADDITION,

Joseph G. (now deceased) and  
Claryce J. Simon  
4325 E. Lewis Street  
Wichita, Kansas 67207

Lot 21, Block B, EASTRIDGE SIXTH  
ADDITION,

Billy B & Wilma D. Popchoke  
607 Calhoun Drive  
Wichita, Kansas 67207



DESCRIPTION

RECORD OWNER

Lot 22, Block B, EASTRIDGE  
SIXTH ADDITION

Charles V. Lambertz  
26 Lakeside Blvd.  
Wichita, Kansas 67207

Lot 1, Block U, EASTBOROUGH  
THIRD ADDITION,

Richard H. & Eunice H. Barton  
72 S. Stratford Rd.  
Wichita, Kansas 67207

Lot 2, Block U, EASTBOROUGH  
THIRD ADDITION

Philip W. & Suzanne G. Russell  
74 S. Stratford Rd.  
Wichita, Kansas 67207

Lots 4 and 5, Block Y, EASTBOROUGH  
THIRD ADDITION,

Thos. H. & Alice D. Allan  
12 Willobrook Road  
Wichita, Kansas 67207

Lot 6, except the South 10  
feet, Block Y, EASTBOROUGH  
THIRD ADDITION,

Thomas C. & Doris V. Raum  
71 Mission Road  
Wichita, Kansas 67207

Lot 7, and the South 10 feet of  
Lot 6, Block Y, EASTBOROUGH  
THIRD ADDITION

Luella L. Malone  
ADDRESS UNKNOWN  
*408 E. Elaine  
8710 Westmore 67206*



Lot 8, Block Y, EASTBOROUGH  
THIRD ADDITION,

W. Dean & Sarah C. Vickery  
75 S. Mission  
Wichita, Kansas 67207

Lot 9, Block Y, EASTBOROUGH  
THIRD ADDITION,

L. J. Jr., and Mary B. Pracht  
77 Mission Road  
Wichita, Kansas 67207

Lot 10, Block Y, EASTBOROUGH  
THIRD ADDITION,

Phyllis J. Weyand  
79 Mission Road  
Wichita, Kansas 67207

Lot 11, Block Y, EASTBOROUGH  
THIRD ADDITION

Stuart A. & Jackie L. Hale  
81 Mission Road  
Wichita, Kansas 67207

Lot 12, Block Y, EASTBOROUGH  
THIRD ADDITION,

Mohammad Munir Shinwari  
7701 E. Kellogg  
Wichita, Kansas 67207

Lot 13, Block Y, EASTBOROUGH  
THIRD ADDITION,

James B. & Evelyn E. McKinney  
819 Barlow Street  
Wichita, Kansas 67207


Lot 1, and the South Half of  
vacated Morgan Lane, Block EZ,  
EASTBOROUGH THIRD ADDITION,

Albert & Maria Causey  
12 Drury Lane  
Wichita, Kansas 67207

Lot 3, Block EZ, EASTBOROUGH  
THIRD ADDITION,

R. Reed & Dollie D. Hatfield  
14 Drury Lane  
Wichita, Kansas 67207



<u>DESCRIPTIONS</u>	<u>RECORD OWNERS</u>
Lot 5, Block EZ, EASTBOROUGH THIRD ADDITION	Jack Pearce 16 Drury Lane Wichita, Kansas 67207
Lot 7, Block EZ, EASTBOROUGH THIRD ADDITION,	Nicholas J. & Loretta G. Salatino 18 Drury Lane Wichita, Kansas 67207
Lot 9, Block EZ, EASTBOROUGH THIRD ADDITION,	Richard L. & Beverly A. Holstead 20 Drury Lane Wichita, Kansas 67207
Lot 1, and the West Half of Lot 2, Block Z, EASTBOROUGH THIRD ADDITION,	Martha L. Mulvhill 58 Mission Wichita, Kansas 67207
The East half of Lot 2, and all of Lot 3, EASTBOROUGH THIRD ADDITION	Robert A. & Mary F. Wise 4 Willobrook Road Wichita, Kansas 67207
 Lot 4, Block Z, EASTBOROUGH THIRD ADDITION,	Daniel J. Fleeman 7820 School Street Wichita, Kansas 67212
Lot 5, Block Z, EASTBOROUGH THIRD ADDITION,	William T. & Regina M. West 3 Drury Lane Wichita, Kansas 67207
Lot 6, Block Z, EASTBOROUGH THIRD ADDITION,	Charles B. & Joanne D. McIlwaine 5 Drury Lane, Wichita, Kansas 67207
Lot 7, Block Z, EASTBOROUGH THIRD ADDITION,	Robert M. & Katherine E. Lee 62, Mission Road Wichita, Kansas 67207
Lot 8, Block Z, EASTBOROUGH THIRD ADDITION,	Jim and Viola McConnell 7 Drury Lane Wichita, Kansas 67207
Lot 9, Block Z, EASTBOROUGH THIRD ADDITION,	David H. Quinn 64 Mission Road Wichita, Kansas 67207
Lot 10, Block Z, EASTBOROUGH THIRD ADDITION,	Earl E. & Barbara E. Leshner 9 Drury Lane Wichita, Kansas 67207
Lot 1, except the South 15 feet Block DZ, EASTBOROUGH THIRD ADDITION,	Loper Electric Company, Inc. 914 E. Gilbert Street Wichita, Kansas 67211
The South 15 feet of Lot 1, and all of Lot 4, Block DZ, EASTBOROUGH THIRD ADDITION,	Guy D. & Linda S. Harris 4 Drury Lane Wichita, Kansas 67207

DESCRIPTION

RECORD OWNERS

Lot 6, Block DZ, EASTBOROUGH  
THIRD ADDITION,

Carl F. & Mary L. Cannon  
ADDRESS UNKNOWN *Eva Cannon*  
*C/O Su Nat'l Bank Trust Dept.*

Lot 8, Block DZ, EASTBOROUGH  
THIRD ADDITION,

Eugene L. & Marguerita West  
5919 E. 10th Street  
Wichita, Kansas 67207

Lot 10, Block DZ, EASTBOROUGH  
THIRD ADDITION, together with  
the North Half of Morgan Lane, now  
vacated

Delmar A., Jr. & Rose M. Kuhlman  
10 Drury Lane  
Wichita, Kansas 67207

The West 65 feet of Lot 1, Block 10,  
EASTRIDGE ADDITION,

Bartina Beschka and Paul Bert-  
rand Miller, Co-Trustees  
6902 E. Orme Street  
Wichita, Kansas 67207

The East 19 feet of Lot 1 and the  
West 41 feet of Lot 2, Block 10,  
EASTRIDGE AN ADDITION,

The Evangelical Lutheran Church  
of the Reformation  
1700 S. Oliver  
Wichita, Kansas 67218



The East 39' of Lot 2, and the  
West 21' of Lot 3, Block 10, EAST-  
RIDGE ADDITION,

The Evangelical Lutheran Church  
of the Reformation  
1700 S. Oliver Street  
Wichita, Kansas 67218

The East 59' of Lot 3, and the  
West 1' of Lot 4, Block 10  
EASTRIDGE ADDITION,

Kathleen Lauer & George E. Grist  
419 Waverly Drive  
Wichita, Kansas 67218

The East 56' of the West 57' of  
Lot 4, Block 10, EASTRIDGE ADD-  
ITION

Una Carmen & Owenda Faye Matheny  
ADDRESS UNKNOWN  
*Una Carmen, Etal.*  
*853 Paulk Ave. 67203*

The East 23' of Lot 4 and the  
West 33' of Lot 5, Block 10,  
EASTRIDGE ADDITION,

Corinne Blanche Squire  
ADDRESS UNKNOWN *6 858 Dexter*  
*Vantuyt, CA. 91405*

The East 47' of Lot 5 and the  
West 9' of Lot 6, Block 10,  
EASTRIDGE ADDITION,

Amber and E. Louise Dial  
6938 E. Orme Street  
Wichita, Kansas 67207

The East 56' of the West 65'  
of Lot 6, Block 10, EASTRIDGE  
ADDITION,

Rick L. Schroer  
6310 Oneida Avenue  
Wichita, Kansas 67208

The East 15' of Lot 6 and the West  
41' of Lot 7, Block 10, EASTRIDGE  
ADDITION,

Lloyd N. & Sue Shenk  
ADDRESS UNKNOWN *2415 Linda Jean Dr.*  
*Independence, Mo. 67301*

Lot 1, Block AZ, EASTBOROUGH  
THIRD ADDITION,

Earl Dennis & Mary Louise Parsons  
66 Mission  
Wichita, Kansas 67207

DESCRIPTION

RECORD OWNER

Lot 2, Block AZ, EASTBOROUGH  
THIRD ADDITION,

Margaret M. Bradley  
11 Drury Lane  
Wichita, Kansas 67207

Lot 3, Block AZ, EASTBOROUGH  
THIRD ADDITION

Hugh H. Boyle  
68 Mission Road  
Wichita, Kansas 67207

Lot 4, Block AZ, EASTBOROUGH  
THIRD ADDITION,

Pauline M. Abram  
13 Drury Lane  
Wichtia, Kansas 67207  
NOTE: Company finds affidavit  
of Equitable Interest given by  
Rosaline J. Leis filed on  
Film 786, Page 1570.

Lot 5, Block AZ, EASTBOROUGH  
THIRD ADDITION,

William P. & Kathy R. Matchette  
15 Drury Lane  
Wichita, Kansas 67207

Lot 6, Block AZ, EASTBOROUGH  
THIRD ADDITION

D.M. & Adeline M. Quinn  
70 Mission Road  
Wichita, Kansas 67207

Lot 7, Block AZ, EASTBOROUGH  
THIRD ADDITION,

David & Shirley McElhiney  
17 Drury Lane  
Wichita, Kansas 67207

Lot 8, Block AZ, EASTBOROUGH  
THIRD ADDITION,

Larry G. & Doris E. Bell  
72 Mission Road  
Wichita, Kansas 67207

Lot 9, Block AZ, EASTBOROUGH  
THIRD ADDITION,

Julius & Norma Kenway Jacobson  
19 Drury Lane  
Wichita, Kansas 67207

Lot 1, Block 1, EASTRIDGE  
FIFTH ADDITION,

Edward J & DeLoise Campbell  
8201 Tamarac Lane  
Wichtia, Kansas 67206

Lot 2, Block 1, in EASTRIDGE  
5th ADDITION,

Vivian V. Mapes, Patty A. Kunkel  
and James M. Mapes  
6939 E. Orme  
Wichita, Kansas 67207

Lot 3, Block 1, EASTRIDGE 5th  
ADDITION,

Kent P. & Madonna A. Nachtigal  
7007 E. Orme Street  
Wichita, Kansas 67207

Lot 4, Block 1, in EASTRIDGE  
5th ADDITION

Mary Ann Simion  
ADDRESS UNKNOWN *7013 E. Orme St.  
67207*

Lot 5, Block 1, EASTRIDGE  
5TH ADDITION,

Monica M. Goscha  
7019 E. Orme  
Wichita, Kansas 67207

Lot 6, in Block 1, EASTRIDGE  
FIFTH ADDITION,

Warren W. & Freda J. Cochran  
Linda F. Middleton  
7025 E. Orme St.  
Wichita, Kansas 67207



DESCRIPTIONS

RECORD OWNER

Lot 7, Block 1, EASTRIDGE  
5th ADDITION,

Esther L. Marshall  
333 N. Brookside Drive  
Wichita, Kansas 67208

Lot 8, Block 1, EASTRIDGE  
5th ADDITION,

Donald L. & Ruth H. Broyles  
ADDRESS UNKNOWN *7037 E. Deme  
67207*

Lot 9, Block 1, EASTRIDGE  
5th ADDITION,

Kay D. Hartman  
8923 Windwood Court  
Wichita, Kansas 67218

Lot 10, Block 1, EASTRIDGE  
5th ADDITION,

Ronnie L. & Mary C. Troy  
620 Tippecanoe Avenue  
Wichita, Kansas 67209

Lot 11, in Block 1, in EASTRIDGE  
5th ADDITION,

Vernon S. & Evelyn M. Anderson  
2611 E. Harry  
Wichita, Kansas 67213

Lot 12, Block 1, EASTRIDGE 5th  
ADDITION,

Ram Gopal & Saroj Kakkar,  
ADDRESS UNKNOWN *18321 Jeffrey Ave.  
Ceebi*

Lot 13, Block 1, EASTRIDGE  
5th ADDITION,

Mark F. Schroeder & Sharon L. Fisher  
7020 E. Gilbert St.  
Wichita, Kansas 67207

Lot 14, Block 1, EASTRIDGE  
5th ADDITION,

John E. & Kay E. Herndon  
7014 E. Gilbert St.  
Wichita, Kansas 67207

Lot 15, Block 1, EASTRIDGE  
5th ADDITION,

Virgil J. & Lou Ann Ternes  
2647 Garland Avenue  
Wichita, Kansas 67204

Lot 16, Block 1, EASTRIDGE  
5th ADDITION,

Phyllis A. Billings  
7002 E. Gilbert Street,  
Wichita, Kansas 67207

Lot 1, Block 2, in EASTRIDGE  
FIFTH ADDITION,

Myrtle Browning  
502 S. Mission  
Wichita, Kansas 67207  
Abstractor's Note: Inheritance  
Tax Closing Letter was returned  
to Constance Wiltlerman at  
313 Morningside  
Wichita, Kansas 67218

Lot 2, Block 2, EASTRIDGE  
FIFTH ADDITION,

Lillian C. Hall  
ADDRESS UNKNOWN *605 S. Mission Rd  
67207*

Lot 12, Block 2, EASTRIDGE  
FIFTH ADDITION,

Charles R. Sr., & Charles R., Jr.  
Mansfield  
517 Drury Lane  
Wichita, Kansas 67207

Lot 13, and the South 1.5 feet of  
Lot 14, Block 2, EASTRIDGE FIFTH  
ADDITION,

Danny Wayne & Pamela K. Wolfe  
1016 Pattie Avenue  
Wichita, Kansas 67211



DESCRIPTIONS

RECORD OWNER

Lot 14, except the South 1.5 feet, Block 2, EASTRIDGE 5th ADDITION,	M. Aileen Moss and Nancy E. Holden 1405 Stratford Lane Wichita, Kansas 67226
Lot 15, Block 2, EASTRIDGE 5th ADDITION,	Phillip J. Mesler ADDRESS UNKNOWN <i>5225 W. 75th Prairie Village, KS 66208</i>
Lot 4, Block 3, EASTRIDGE 5th ADDITION,	Carol Lynn & Terry L. Poague 7019 E. Gilbert Street Wichita, Kansas 67207
Lot 5, Block 3, EASTRIDGE 5th ADDITION,	Ronald D & Wilma J. Chippeaux 7025 E. Gilbert Wichita, Kansas 67207
Lot 6, Block 3, in EASTRIDGE 5th ADDITION,	Donald D. & Karyn C. Ziegler 7031 E. Gilbert Street Wichita, Kansas 67207
Lot 7, Block 3, EASTRIDGE 5th ADDITION,	Dominic J. & Erin C. DeSandro 7073 E. Gilbert Wichita, Kansas 67207
Lot 8, Block 3, in EASTRIDGE FIFTH ADDITION,	Twila M. Nelson 7043 E. Gilbert Street Wichita, Kansas 67207
Lot 1, Except the West 16' in Block A, EASTRIDGE 6th ADDITION	Charles W. & Vera A. London 4805 E. 24th St N. Wichita, Kansas 67213
Lot 2, Except the West 16' for Street, Block A, EASTRIDGE 6th ADDITION,	Jon M & Laurel A. Tiger 608 S. Gouverneur Rd. Wichita, Kansas 67207
Lot 3, except the West 16' feet in Block "A" in EASTRIDGE SIXTH ADDITION	William Stephen & Kathleen A. Timmerman 614 Gouverneur Rd. Wichita, Kansas 67207
Lot 4, except the West 16' thereof Block A, EASTRIDGE SIXTH ADDITION,	Administrator of Veterans Affairs C/O Director, VA Medical Regional Office Center 901 George Washington Blvd. Wichita, Kansas 67211
Lot 6, except the W. 16' thereof Block "A", EASTRIDGE 6th ADDITION,	Harvey E. & Avis A. Deck 632 S. Gouverneur Road Wichita, Kansas 67207
Lot 23, Block A, EASTRIDGE SIXTH ADDITION,	Lloyd W. & Clive Cameron 633 Whittier Street Wichita, Kansas 67207
Lot 5, except the West 16' thereof Block a, EASTRIDGE 6th ADDITION,	Charles W. & Vera A. London 4805 E. 24th St. N. Wichita, Kansas 67211



DESCRIPTIONS

RECORD OWNER

Lot 24, Block A, in EASTRIDGE  
SIXTH ADDITION,

Naomi R. Tillery  
627 S. Whittier  
Wichita, Kansas 67207

Lot 25, Block A, in EASTRIDGE  
SIXTH ADDITION,

Diana Conner  
2722 Arkansas Avenue  
Wichita, Kansas 67204

Lot 26, Block A, EASTRIDGE  
SIXTH ADDITION,

Stephen M. & Lisa M. Wind  
ADDRESS UNKNOWN *615 Whittier  
67207*

Lot 27, Block A, in EASTRIDGE  
SIXTH ADDITION,

David A. Cherry  
412 Sioux Court  
Wichita, Kansas 67206

Lot 28, Block "A" in EASTRIDGE  
6th ADDITION,

Walter L., Jr. & Lorene B.  
Johnson  
601 Whittier  
Wichita, Kansas 67207

Lot 1, Block 2, in EASTRIDGE  
EIGHTH ADDITION,

Alonzo C. Sr. & Shirley J. Smith  
602 Calhoun  
Wichita, Kansas 67207



Lot 2, Block 2, EASTRIDGE  
EIGHTH ADDITION,

Edmund Arthur & Lucila Woodcox  
7309 E. Orme Street  
Wichita, Kansas 67207

Lot 3, Block 2, EASTRIDGE EIGHTH  
ADDITION,

Samir M. & Therese S. Abl  
7315 E. Orme Street  
Wichita, Kansas 67207

Lot 4, Block 2, EASTRIDGE  
EIGHTH ADDITION,

Quan Hao Diec  
2549 Rosenthal  
Wichita, Kansas 67204

Lot 5, Block 2, EASTRIDGE  
EIGHTH ADDITION,

Edward L. & Mauricia Radell  
7327 E. Orme Street  
Wichita, Kansas 67207

Lot 6, in Block 2, EASTRIDGE  
EIGHTH ADDITION,

Helen Y. White and Lois Tefft  
609 Armour Drive  
Wichita, Kansas 67207

Lot 11, Block 2, EASTRIDGE 8th  
ADDITION,

Alton Roe and Petalita Roe  
7320 E. Indianapolis  
Wichita, Kansas 67207

Lot 12, in Block 2, in EASTRIDGE  
EIGHTH ADDITION,

Howard & Rose A. DeMoure  
7314 E. Indianapolis  
Wichita, Kansas 67207

Lot 13, Block 2, in EASTRIDGE  
EIGHTH ADDITION,

Judith & Julia D. Black  
7308 E. Indianapolis  
Wichita, Kansas 67207

Lot 14, Block 2, EASTRIDGE 8th  
ADDITION,

Judi A. Olenberger  
618 Calhoun  
Wichita, Kansas 67207



DESCRIPTIONS

RECORD OWNER

Block 4, EASTRIDGE EIGHTH ADDITION to Wichita, Kansas, Except beginning at the S.E. Corner thereof; thence north along the east line of said Block 4, 105.98 feet to a point 36.24 feet north of the N.W. Corner of said Lot 2, Block 1; thence west parallel with the north line of said Lots 2 and 3, Block 1, 31.51 feet; thence Southwesterly 41.68 feet to the southwesterly line of said Block 4 to a point 87.17 feet northwesterly from the place of beginning; thence southeasterly along the southwesterly line of said Block 4, 87.17 feet to the place of beginning,

Lightner Hotels, Inc.  
ADDRESS UNKNOWN  
*96 Holiday Inn Plaza  
250 W. Douglas 67202*



Lot 8, Block P, EASTBOROUGH THIRD ADDITION,

George A. Angle  
70 S. Stratford Blvd.  
Wichita, Kansas 67207

Lot 1, RIPSTRA ADDITION,

J.G. & Hazel Ripstra  
ADDRESS UNKNOWN *1015 E. Douglas  
67211*

Lots 1, 2, 3, in EAST MISSION ADDITION,

The Evangelical Lutheran Church of the Reformation, Inc.  
1700 E. Kellogg  
Wichita, Kansas 67218

Lot 1, ANDEEL 2ND ADDITION,

Andeel and Andeel Properties  
Lindy Andeel, Partner  
Stanley G. Andeel, Partner  
5900 East Central  
Wichita, Kansas 67208

Lot 1, Scholfield-Hatchett Addition,

Schofield-Hatchett, a partnership  
% Schofield Brothers Pontiac-GMC  
7633 E. Kellogg  
Wichita, KS 67218

Lot 1, Block 1, Replat of Block 1, Kellogg Crest Addition to the City of Wichita, Sedgwick County,

James Richard Scholfield and  
Victor H. Scholfield  
14011 Northpoint  
Wichita, KS 67230

Lot 1, Block A, McHugh Addition,

Consolidated American Real Estate  
Company Inc. *pany*  
8400 Killarney Place  
Wichita, KS 67206

Lot 1, Aboud Addition,

Floyd J. Ellis & Jeanne G. Ellis  
8020 University Avenue  
Wichita, KS 67209



DESCRIPTIONS

RECORD OWNER

Lots 1 and 2, in Block "A" in Lightner Addition, Wichita, Sedgwick County, Kansas and that portion of vacated Kellogg Street accruing thereto,

Columbia Hotels, Inc.  
3807 South Topeka Boulevard  
Topeka, KS 66609

Lot 1, Block A, "ROBERT LIGHTNER ADDITION",

Columbia Hotels, Inc.  
3807 South Topeka Boulevard  
Topeka, KS 66609

Lot 1, CHRYSLER ADDITION

ABKO Properties, Inc.  
One Northfield Plaza  
Troy, Michigan 48098

Lot 1 and the West 37' of Lots 2 and 3 in Keys 2nd Addn.

Elizabeth Horning & Opal Ramsdell  
542 Whittier Street  
Wichita, KS 67207

Lot 1, ex the W 30' and E 19.5' thereof, Block A, Clayton Addition,

Philip F. Farha & Gloria E. Farha  
557 North Armour Street  
Wichita, KS 67206

South 180 feet of the East 19.5 feet of Lot 1 and the South 180 feet of Lot 2, Block "A", Clayton Addition,

W. R. Azim  
422 South Oliver  
Wichita, KS 67218



Lot Three (3), Block "A", in CLAYTON ADDITION to Wichita, Sedgwick County, Kansas; AND Commencing at the intersection of the Northerly line of Kellogg Drive with the Westerly line of CLAYTON ADDITION to Wichita, Sedgwick County, Kansas; thence East along the North line of Kellogg Drive a distance of 60 feet; thence North along a line parallel with the Westerly line of Lot One (1), Block "A", in said CLAYTON ADDITION to the North line of said Lot One (1); thence Westerly along the Northerly line of said Lot One (1) and the Northerly line of said Lot as extended, to the intersection of the Northerly line of said Lot One (1); as extended with the Westerly line of CLAYTON ADDITION; thence South along the Westerly line of CLAYTON ADDITION to the point of beginning.

Windsor at Eastborough  
7030 East Kellogg  
Wichita, KS 67207

Lot Three (3), Except the West 37 feet, Keys Second Addition to Wichita,

Georgia L. Kelly Brooks &  
James Issac Brooks  
8716 West University  
Wichita, KS 67209

Lot 1, EXCEPT the west 100 feet thereof, in E. M. Steven's Third Addition,

c/o Nevets, Inc.  
P.O. Box 18688  
Wichita, KS 67218

The west 100 feet of Lot 1, E. M. Steven's Third Addition,

Eddy's Toyota of Wichita, Inc.  
7333 East Kellogg  
Wichita, KS 67207



-12-

Dated at Wichita, Kansas, this 14th day of August, 1987 at  
7:00 A.M.

FIDELITY TITLE COMPANY, INC.

*Medina A. Satter*

By Administrative Secretary

Tracer No. 73987



Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
October 13, 1987

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: DP-12, AMENDMENT #8 - KELLOGG MALL COMMERCIAL  
COMMUNITY UNIT PLAN, LOCATED ON THE NORTH SIDE  
OF KELLOGG IN AN AREA WEST OF ARMOUR DRIVE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve subject to conditions (6-0 - 1 abstention)

Staff Recommendation: Approve subject to conditions.

CPO Recommendation: Council "2B" recommends approval (7-0).

Background: On September 17, the MAPC held a public hearing to consider an amendment to a Commercial Community Unit Plan. The applicants are requesting approval of the C.U.P. amendment for property platted as Lots 1 and 2, Rockwood South First Addition (in Parcel 9 of the C.U.P.). The site is located north of Kellogg in an area west of Armour Drive and presently is developed with a Howard Johnson Restaurant and Motel (Lot 2 referred to as Parcel 9B) and Amoco Service Station (Lot 1 referred to as Parcel 9A). The contract purchaser for Parcel 9B is proposing to remove the existing buildings and redevelop the site for a retail shopping center including a Children's Palace Toy Store, which is a national chain. The service station on Parcel 9A will remain as it presently exists. All the other parcels in this C.U.P. will remain the same.

The amendment proposes to change the proposed uses on Parcel 9B to include: "Service station, retail sales, general office, restaurants, financial institutions." Also new building setbacks to Kellogg Drive are placed on the C.U.P. -- 35 feet for Parcel 9A and 60 feet for Parcel 9B. The total gross floor area for Parcel 9 is proposed to be decreased from 124,440 square feet to 65,000 square feet.

The Planning Commission unanimously recommended approval subject to conditions including dedication, by separate instrument, of 10 feet of additional street right-of-way for Kellogg Drive adjacent to Parcel 9B.

Recommendations/Actions:

1. Concur with the findings of the Metropolitan Area Planning Commission and approve the C.U.P. subject to the recommended conditions; accept the dedication and instruct the City Clerk to record the dedication document with the Register of Deeds, the recording cost of which shall be billed to the Planning Department.

PL/1445/2

2. Take appropriate action stating reasons.

EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 17, 1987

LEGAL:

8. Case No. DP-12, Amendment #8 - Bank IV and M & N Investment Co. request approval of Kellogg Mall Commercial Community Unit Plan for Lots 1 and 2, Rockwood South First Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of Kellogg Street in an area west of Armour Drive.

SHERMAN informed the Commission that he had a potential conflict of interest in this case, and he would refrain from participating in the discussion and abstain from voting.

GALBRAITH pointed out land use, zoning and showed slides of the general area. He reviewed the following staff report:

**BACKGROUND:** The applicants are requesting approval of the C.U.P. amendment for property platted as Lots 1 and 2, Rockwood South First Addition (in Parcel 9 of the C.U.P.). The site is located north of Kellogg in an area west of Armour Drive and presently is developed with a Howard Johnson Restaurant and Motel (Lot 2) and Amoco Service Station (Lot 1). The contract purchaser for Lot 2 is proposing to remove the existing buildings and redevelop the site for a retail shopping center including a Children's Palace Toy Store, which is a national chain. The service station on Lot 1 will remain as it presently exists. All the other parcels in this C.U.P. will remain the same.

The amendment proposes to change the proposed uses on Lot 2 to include: "Service station, retail sales, general office, restaurants, financial institutions." Also new building setbacks to Kellogg Drive are placed on the C.U.P. -- 35 feet for Lot 1 and 60 feet for Lot 2. The total gross floor area is proposed to be decreased from 124,440 square feet to 65,000 square feet.

Parcel 9 should be divided into two subparcels -- Parcel 9A and Parcel 9B since the proposed uses and ownership of the two subparcels are different from each other. Parcel 9A should include the property on which the Amoco Service Station is located and should continue to indicate the proposed uses as a "Restaurant, Private Club and Service Station". Parcel 9B should be depicted as the remainder of the Parcel and include all the proposed uses and a total gross floor area of 58,123 square feet. Parcel 9A should include 6,877 square feet as the total gross floor area and the building should be limited to one story.

**CASE HISTORY:** The first Kellogg Mall C.U.P. (DP-12) was approved in 1966 and the previous amendment was approved in 1986.

ADJACENT ZONING AND LAND USE:

NORTH	LC in DP-12 & AA	Automobile sales, undeveloped & KG&E substation
SOUTH	LC	Automobile sales
EAST	LC in DP-12	Automobile sales
WEST	LC & B	Restaurants, apartments & KG&E substation

PL/1451/2

**PUBLIC SERVICES:** As required on the replat to the east, an additional 10-foot street r.o.w. dedication is needed from Lot 2 for future improvements for Kellogg. Prior to this C.U.P. being scheduled for the City Council, the applicant shall submit the required 10 feet of street r.o.w. dedication by separate instrument.

**CONFORMANCE TO PLANS/POLICIES:** The adopted comprehensive plan designates this area for commercial development.

**RECOMMENDATION:** Should the Planning Commission determine that this commercial development plan amendment is appropriate, the following are recommended conditions of approval:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. Prior to this C.U.P. amendment being scheduled for Wichita City Council, the applicant shall submit the separate dedication instrument for 10 feet of additional street r.o.w. for Kellogg Drive adjacent to Lot 2, Rockwood South First Addition.
- e. The revised C.U.P. shall indicate the changes needed to separate Parcel 9 into Parcel 9A and 9B.

**DISCUSSION:**

GALBRAITH recalled that when the Towne East C.U.P. was approved in 1966, the uses on this parcel were already existing. There was an Amoco Service Station and a Howard Johnson Motel and Restaurant, and on that C.U.P., it specifically states that the intended use is for an Amoco Service Station and a Howard Johnson Motel. He said that what is expressed now is an interest to remove the Howard Johnson Restaurant and Motel and construct new retail sales facilities there, particularly one that is called the Children's Palace Toy Store which is a national chain, and they are interested in developing on the Howard Johnson site along with other potential retail uses.

GALBRAITH stated that this present parcel on the C.U.P. does not have a building setback on it. The applicants are indicating two setbacks on the revision; one of 35 feet for the service station, and one of 60 feet for the Children's Palace, and then they are suggesting to include new uses like service stations, retail sales, general offices, restaurants and financial institutions.

GALBRAITH continued that the applicants' attorney asked if he could make sure that the Amoco restriction would be eliminated from the service station site so that some other type of service station might utilize the site some day. GALBRAITH felt it should be, and felt that was the intent the way their C.U.P. as now submitted.

GALBRAITH added that there is a need for ten feet of additional frontage road dedication which the Children's Palace portion of the parcel is willing to dedicate. But since the Amoco Service Station will remain, staff felt that it was not appropriate at this time to require them to dedicate 10 feet of right-of-way that would interfere with their location of service pumps and service drives. Therefore, staff is asking that Parcel 9 be redesigned into two parcels, Parcel A and Parcel B, and reflect on each parcel what can be developed and not change the intended use on the service station site except remove the word "Amoco" and give them the uses that were permitted on that site originally. In that way the Children's Palace can dedicate their right-of-way and remove the structures and construct the new uses as intended for their subparcel.

GALBRAITH stated that staff's recommendation was approval of the C.U.P. amendments as indicated subject to conditions as recommended in the staff report.

A. CALISTO CAMINATI, JR., development manager for the Cedarwood Companies located in Akron, Ohio, stated that they were present on behalf of their request for the C.U.P. amendment. They are representing the interest of their client, Children's Palace, who will be the major lessee of this project. He said that as Galbraith mentioned earlier, they are a national retailing store chain. They have 157 stores in 28 states. CAMINATI said that they had just completed two projects for their client. One recently opened in Amarillo, Texas, and one in Arlington, Texas. He said that Children's Palace was very excited about coming into the Wichita market, and when they found this site, they were extremely excited about it with the proximity to the Mall. It is one of the important criteria that they look for in judging site acquisitions.

GARDNER asked Mr. Caminati if the terms and conditions set forth in the recommendation were agreeable to them.

CAMINATI said yes, that they worked closely with staff, and they are in concurrence.

STEVE MANSKE, Kansas Gas & Electric, stated that they had no objections to this amendment as long as KG&E retains, as Baughman Company has designed, a utility easement that allows them to get trucks back and forth into the substation for maintenance.

GALBRAITH asked if there was an easement now, or was there to be a new one filed.

BRENT WOOTEN, Baughman Company, stated that they have submitted a new easement to KG&E, and assuming that it is compatible, they will file it.

There was no one present in opposition to the application.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. Prior to this C.U.P. amendment being scheduled for Wichita City Council, the applicant shall submit the separate dedication instrument for 10 feet of additional street r.o.w. for Kellogg Drive adjacent to Lot 2, Rockwood South First Addition.
- e. The revised C.U.P. shall indicate the changes needed to separate Parcel 9 into Parcel 9A and 9B.
- f. Submit a letter from K.C. & E. stating that satisfactory arrangements have been made with the owner for easement access to serve their substation.

Wilson moved, Gardner seconded and it carried unanimously. Sherman abstained. Banzer, Conlee and Parsons were absent.

STAFF REPORT

**CASE NUMBER:** DP-12, Amendment #8

**OWNER/APPLICANT/AGENT:** Bank IV and M & N Investment Co. (applicants)  
Cedarwood Construction Co. (contract purchaser)  
A. Calisto Caminati, Jr. & Ron Spangenberg (agents)

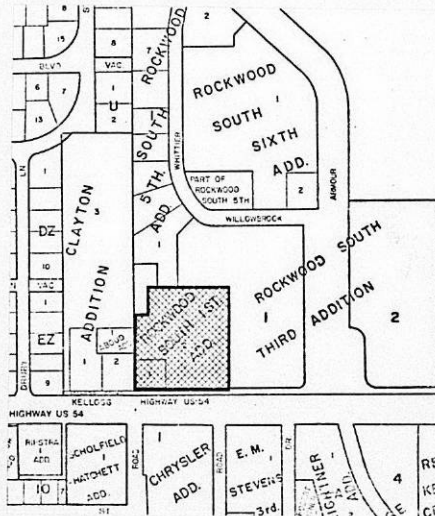
**REQUEST:** Approval of Kellogg Mall Commercial C.U.P.

**CURRENT ZONING:** "LC" Light Commercial District under C.U.P. DP-12

**SITE SIZE:** 4.88 acres requested for amendment

**LOCATION:** On the north side of Kellogg in an area west of  
Armour Drive

**PROPOSED USE:** Light Commercial uses including retail stores, toy  
store and service station



**BACKGROUND:** The applicants are requesting approval of the C.U.P. amendment for property platted as Lots 1 and 2, Rockwood South First Addition (in Parcel 9 of the C.U.P.). The site is located north of Kellogg in an area west of Armour Drive and presently is developed with Howard Johnson Restaurant and Motel (Lot 2) and Amoco Service Station (Lot 1). The contract purchaser for Lot 2 is proposing to remove the existing buildings and redevelop the site for a retail shopping center including a Children's Palace Toy Store, which is a national chain. The service station on Lot 1 will remain as it presently exists. All the other parcels in this C.U.P. will remain the same.

The amendment proposes to change the proposed uses on Lot 2 to include: "Service station, retail sales, general office, restaurants, financial institutions." Also new building setbacks to Kellogg Drive are placed on the C.U.P. -- 35 feet for Lot 1 and 60 feet for Lot 2. The total gross floor area is proposed to be decreased from 124,440 square feet to 65,000 square feet.

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SOUTH	LC	Automobile sales
EAST	LC in DP-12	Automobile sales
WEST	LC & B	Restaurants, apartments & KG&E substation

**PUBLIC SERVICES:** As required on the replat to the east, an additional 10-foot street r.o.w. dedication is needed from Lot 2 for future improvements for Kellogg. Prior to this C.U.P. being scheduled for the City Council, the applicant shall submit the required 10 feet of street r.o.w. dedication by separate instrument.

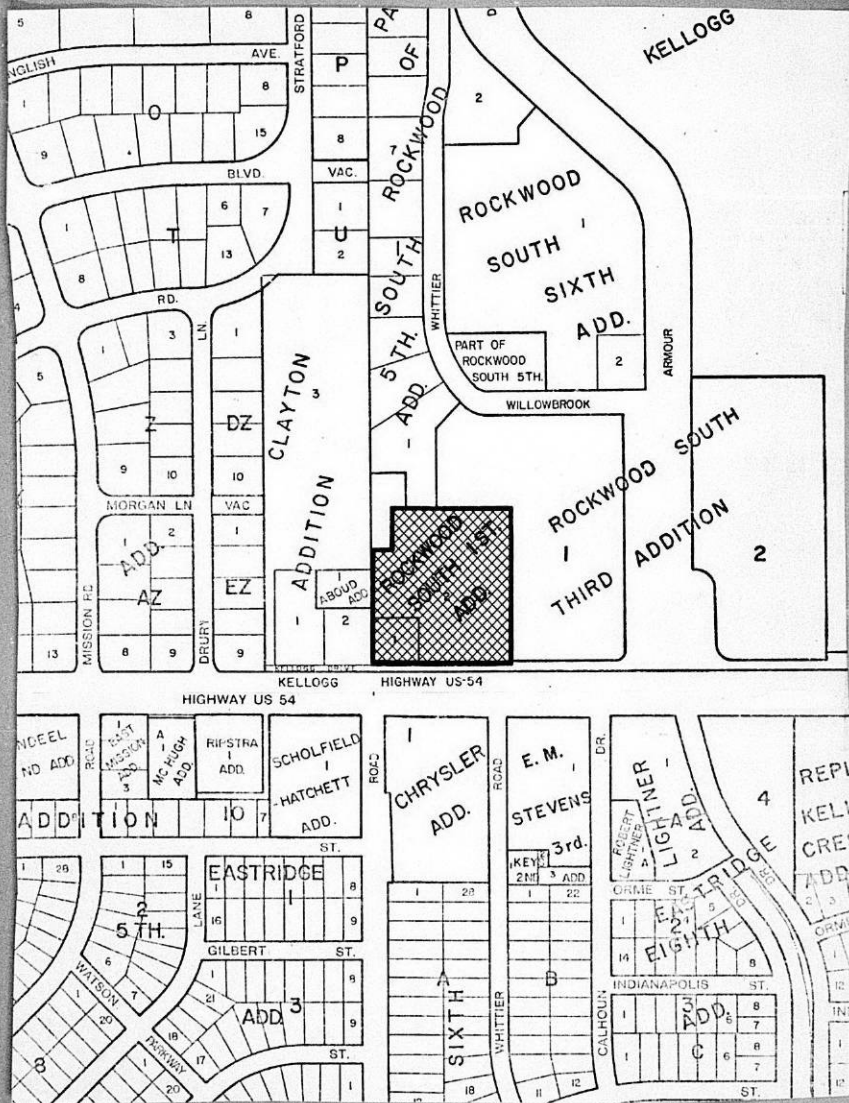
**CONFORMANCE TO PLANS/POLICIES:** The adopted comprehensive plan designates this area for commercial development.

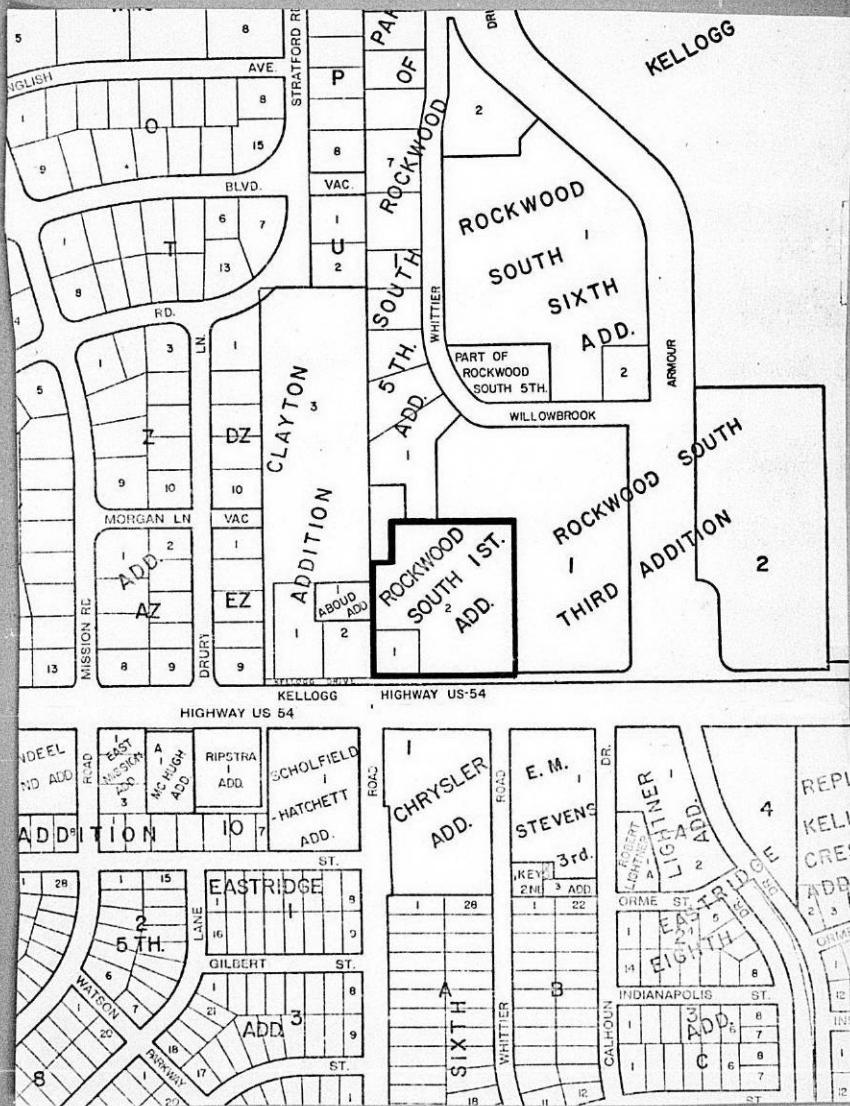
**RECOMMENDATION:** Should the Planning Commission determine that this commercial development plan amendment is appropriate, the following are recommended conditions of approval:

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- d. Prior to this C.U.P. amendment being scheduled for Wichita City Council, the applicant shall submit the separate dedication instrument for 10 feet of additional street r.o.w. for Kellogg Drive adjacent to Lot 2, Rockwood South First Addition.
- e. The revised C.U.P. shall indicate the changes needed to separate Parcel 9 into Parcel 9A and 9B.





WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

September 3, 1987

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, September 17, 1987, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Council Chambers, First Floor, City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to the KELLOGG MALL COMMERCIAL COMMUNITY UNIT PLAN for property legally described as follows:

DP-12,  
Amendment #8: Lots 1 and 2, Rockwood South First Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of Kellogg Street in an area west of Armour Drive.

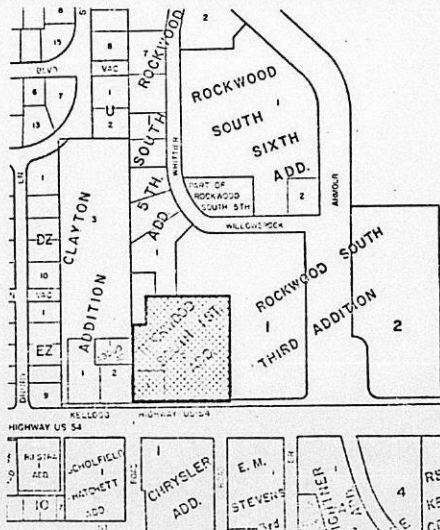
The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The amended Development Plan now on file proposes changes to Parcel 9 only. Presently, there is a Howard Johnson's Restaurant and Motel and a service station on the property. The applicant proposes to retain the service station and remove the balance of the buildings on Parcel 9 in order to re-develop the site for retail shopping uses. Other proposed uses for this parcel are: service station, general office, restaurants and financial institutions. Additional information regarding the square footage, building setbacks, street right-of-way, etc. is specified on the plan.

The hearing of the proposed amendment to this Development Plan is to be held and the same will then and there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Eastside Neighborhood Council "2B" will consider this case at their meeting to be held on Monday, September 14, 1987, at 7 p.m., at the Capitol Federal Savings and Loan Building, 8040 East Douglas. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



DATA SHEET

Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 DR- \_\_\_\_\_  
 DP- 12

Amend 8

Case Filed: 8-17-87

Associated Case: \_\_\_\_\_

CPO Council Area: 2-B

CPO Meeting Date: 9-14-87

MAPC Hearing Date: 9-17-87

APPLICATION DATA: Map No. 5947 B

1. General Location: On the north side of Kellogg Street in an area west of Armour Drive

2. From \_\_\_\_\_ to \_\_\_\_\_

3. Proposed Use: \_\_\_\_\_

4. DP Name: KELLOGG MALL COMMERCIAL COMMUNITY UNIT PLAN

5. Applicant: Anthony A. Petrarca, c/o Cedarwood Construction Company, Inc.

Address 1765 Merriman Road, Akron, Ohio 44313 Area Code (216) Phone 836-9971

a. Applicant: Bank IV Wichita, National Assoc., Trustee (Yingling Trust) c/o T.H. Schupp

Address Bank IV Wichita, P.O. Box 4, Wichita, Kansas 67201-0004 Phone 261-4444

b. Applicant: Standard Service Station c/o M & N Investment Co., c/o Michael C. Weigand

Address 150 North Market, Wichita, Kansas 67202 Phone 262-6404

6. Agent: A. Calisto Caminati, Jr., Development Mgr., The Cedarwood Companies

Address 1765 Merriman Road, Akron, Ohio 44313 Phone 869-4132

a. Agent: Ron Spangenberg c/o Spangenberg Phillips Sherman Harrison, Inc.

Address 151 North Main Street, Wichita, Kansas 67202 Phone 267-4002

AREA DATA:

1. Acres: 4.99 ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)

2. Adjoining Zoning: N "LC" "E" "AA" S "LC" E "LC" W "LC" "E" "B"

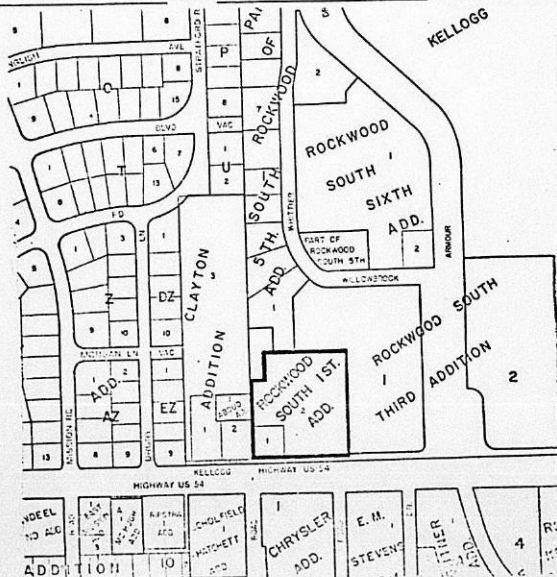
3. Land Use: North East \_\_\_\_\_  
 South West \_\_\_\_\_

PICTURE SHEET

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

NOTES:



T9-214-2

FORM 20-21

PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str. &	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY

NA Cedarwood Court  
 FC DP-12 Amendment to  
 Parcel 9

28011

3:32 PM  
 3:32 PM  
 75540710003 FUND  
 5634 7 3 08/17/87 CASH 200.00 TR 1  
 200.00 TOTL 200.00 CHEK

200<sup>00</sup>  
 CITY OF WICHITA  
 CASH REGISTER RECEIPT  
 40358

FORM 9-021 PAYMENT NOTICE  
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
DP-12 Amendment to Parcel 9	\$ 200

NAME Cedarwood Court.  
 ADDRESS 1765 Herriman Rd, Akron, Oh  
 FUND 755 40710 003 DUE DATE 8-17-87  
 COMMENTS  
 DATE 8-17-87 BY EH

\*

This DP File  
Has a Large Drawing  
On 35mm Microfilm.

Roll #1

\*